

×

Location:

Near DT Duluth, Craft Dist, Bayfront Pk, and Canal Pk

apt:

A cozy, stylish/vintage retreat w/modern amenities-Comfy seating, local art, and separate office.

Amenities:

- Vintage-inspired bathroom
- Full dining room
- Full kitchen
- In-unit laundry
- Local art

The space

two bedroom apartment + office, living room, full kitchen, large dining room, laundry on-unit, dishwasher, two twin xl beds, 1 queen, and one queen pull-out bed.

****EXC North has another Airbnb next door in the same building to this one. If available, you can book both of them if you have a larger party than four. You can then stay in the same building w/family and friends. The name of the Airbnb is EXC North Lake Place and the link is****;

airbnb.com/h/excnorthlakeplace

Guest access

Full access to whole apartment and laundry in-unit. A small bench in the back is accessible for fresh air. The porch in front is not accessible.

Other things to note

Plenty of parking on-street available. Alternate side parking is in effect year round making loading into apartment very close and easy all year.

This is an upstairs apartment with a separate apartment below

EXCNorth Bay PL/near DT/Canal Pk/Craft Dist

[Share](#) [Save](#)



Show all photos

Entire rental unit in Duluth, Minnesota

4 guests · 2 bedrooms · 4 beds · 1 bath

Guest favorite

4.98
★★★★★

135
[Reviews](#)



Hosted by Brian

Superhost · 2 years hosting



Great for remote work

Fast wifi at 351 Mbps, plus a dedicated workspace.



Self check-in

Check yourself in with the smartlock.



Brian is a Superhost

Superhosts are experienced, highly rated Hosts.

Add dates for prices

CHECK-IN
Add date

CHECKOUT
Add date

GUESTS
1 guest



Check availability



[Report this listing](#)

Welcome to EXC North Bay Place! Our centrally located, spacious apartment offers everything you need w/4 separate beds-3 separate sleeping areas-One queen in bedroom, 2 twins in bedroom, and one queen pull out in living room.

Location:...

[Show more](#) >

Where you'll sleep

1 / 2













Bedroom 1
2 single beds



Living room
1 sofa bed

What this place offers

-  Bay view
-  Canal view
-  Kitchen
-  Fast wifi – 351 Mbps
-  Dedicated workspace
-  Free parking on premises
-  50 inch HDTV with Roku
-  Free washer – In unit
-  Free dryer – In unit
-  Window AC unit

Show all 55 amenities

Accessibility features

This info was provided by the Host and reviewed by Airbnb.



Full bathroom

Fixed grab bars for shower

Show all feature details

Select check-in date

Add your travel dates for exact pricing

October 2024							November 20						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5							
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30



4.98

Guest favorite

One of the most loved homes on Airbnb
based on ratings, reviews, and reliability

Overall rating

5
4
3
2
1

Cleanliness

4.9



Accuracy

5.0



Check-in

5.0



Communication

5.0



Location

4.9



Value

4.9



Shannon

Minneapolis, Minnesota

★★★★★ · 4 days ago · Stayed a few nights

Brian's place was clean and everything was well labeled. Lots of space!

Hope

Lexington, Kentucky

★★★★★ · 3 weeks ago · Stayed a few nights

Our group really enjoyed this house! Spacious with a well-equipped kitchen. The back bedroom got a little stuffy if the door was closed and ceiling fan was off, but was comfortable overnight. Great hot water pressure from the shower. Dimmable light switches. The electronic door lock worked fine for us! Clear instructions, easy to check in an...

[Show more](#)

Nancy

Stuart, Florida

★★★★★ · 3 weeks ago · Stayed a few nights

Very well equipped and comfortable We enjoyed our stay

Brenda

11 years on Airbnb

★★★★★ · September 2024 · Stayed one night

High up in Duluth with a view of the port. Very comfortable. Brian communicated very well.

Braden

3 years on Airbnb

★★★★★ · September 2024 · Stayed a few nights

Place was great! Owen helped with my engagement, and it was great! Thank you!

Rachel

Ely, Minnesota

★★★★★ · August 2024 · Stayed one night

This is a fantastic spot in Duluth between lots of cool neighborhoods to explore. Would stay again!

Show all 135 reviews

Where you'll be

Duluth, Minnesota, United States

Neighborhood highlights

You will be in the Observation Hill Neighborhood which sits in between Canal Park/Downtown and the Craft District. Also, near Enger Tower, the Duluth Traverse Trail/Lake Superior Hiking trail, and many other Duluth attractions.

[Show more >](#)

Meet your Host

160

Reviews



Brian

Superhost

4.96 ★

Rating

2

Years hosting



My work: I'm a public school teacher. I also work intermittently in the new and upcoming film production industry that has been utilizing northern Minnesota and garnering national attention to the area.



Favorite song in high school: excursions; a tribe called Quest

I have been a lifelong resident and a short-term/long-term rental host and landlord in Duluth, MN for the last 14 years. I enjoy utilizing the area's urban/outdoor amenities such as Park Point, Canal Park, Downtown, the Lake...

[Show more](#) >

Brian is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Co-hosts

Owen

David

Host details

Response rate: 100%

Responds within an hour

Message Host

Registration number: VFPOP2022-8785



To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules

Check-in after 3:00 PM

Checkout before 11:00 AM

4 guests maximum

[Show more](#) >

Safety & property

Carbon monoxide alarm

Smoke alarm

Potential for noise

[Show more](#) >

Cancellation policy

Add your trip dates to get the cancellation details for this stay.

[Add dates](#) >

[Airbnb](#) > [United States](#) > [Minnesota](#) > [St. Louis County](#) > [Duluth](#)

Explore other options in and around Duluth

Lutsen

Vacation rentals

Two Harbors

Vacation rentals

Ely

Vacation rentals

Madeline Island

Vacation rentals

Mille Lacs Lake

Vacation rentals

Bayfield

Vacation rentals

Apostle Islands

Vacation rentals

Hayward

Vacation rentals

Ironwood

Vacation rentals

Other types of stays on Airbnb

[Duluth vacation rentals](#)

[Apartment vacation rentals in Duluth](#)

[Apartment vacation rentals in St. Louis County](#)

[Duluth monthly stays](#)

[Apartment vacation rentals in United States](#)

[Family-friendly vacation rentals in St. Louis County](#)

Support

[Help Center](#)

[AirCover](#)

[Anti-discrimination](#)

[Disability support](#)

[Cancellation options](#)

[Report neighborhood concern](#)

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[Airbnb your home](#)

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×

About this space

Welcome to EXC North Lake Place! Our centrally located, spacious apartment offers everything you need w/4 separate beds-3 separate sleeping areas. One queen in bedroom, 2 twins in bedroom, and one queen pull out in living room.

Location:

Near DT Duluth, Craft Dist, Bayfront Pk, and Canal Pk

apt:

A cozy, stylish/vintage retreat w/modern amenities. Comfy seating, local art, and natural light.

Amenities:

- Vintage-inspired bathroom
- Full dining room
- Full kitchen
- In-unit laundry
- Local art

The space

This is a two bedroom first/main floor apartment with four separate beds and three separate sleeping areas. One queen, one twin XL, one twin, and a queen pull-out sleeper. This apartment also has a full kitchen, dining room table for six, pub table for two, and is located in the observation Hill neighborhood.

*****EXC North has another Airbnb next door in the same building to this one. If available you can book both of them if you have a larger party than four. You can then stay in the same building w/family and friends. The name of the Airbnb is EXC North Bay Place and the link is below*****

airbnb.com/h/excnorthbayplace

Guest access

Guests have full access to the apartment and the front porch.

Other things to note

Plenty of parking on-street available. Alternate side parking is in effect year round making loading into apartment very close and easy all year.

this is a downstairs apartment with a separate apartment upstairs.

Registration number

VFPOP2022-8785

Entire rental unit in

4 guests · 2 bedrooms · 4

★ 4.85 · 26 reviews



Hosted by Brian
Superhost · 2 years



Self check-in
Check yourself in



Brian is a Superhost
Superhosts are ex



Exceptional check-in
Recent guests gav

Welcome to EXC North L
everything you need w/4
bedroom, 2 twins in bed

Location:

Near DT Duluth, Craft Di

[Show more >](#)

Where you'll sleep

EXCNorth Lake PL/near DT/Cnl Pk/Craft Dist

[Share](#) [Save](#)



Entire rental unit in Duluth, Minnesota

4 guests · 2 bedrooms · 4 beds · 1 bath

★ 4.85 · [26 reviews](#)



Hosted by Brian

Superhost · 2 years hosting



Self check-in

Check yourself in with the smartlock.



Brian is a Superhost

Superhosts are experienced, highly rated Hosts.



Exceptional check-in experience

Recent guests gave the check-in process a 5-star rating.

Add dates for prices

CHECK-IN

Add date

CHECKOUT

Add date

GUESTS

1 guest



[Check availability](#)



[Report this listing](#)

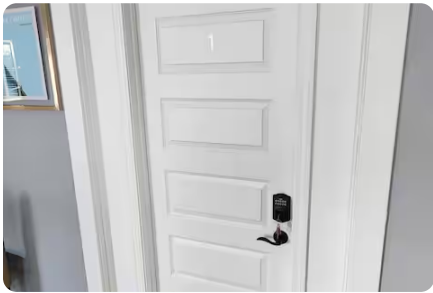
Welcome to EXC North Lake Place! Our centrally located, spacious apartment offers everything you need w/4 separate beds-3 separate sleeping areas. One queen in bedroom, 2 twins in bedroom, and one queen pull out in living room.

Location:...

[Show more](#) >

Where you'll sleep

1 / 2













Bedroom 1
2 single beds



Bedroom 2
1 queen bed

What this place offers

-  Kitchen
-  Wifi
-  Free parking on premises
-  TV
-  Washer
-  Dryer
-  Air conditioning
-  Hair dryer
-  GE refrigerator
-  Microwave

Show all 42 amenities

Select check-in date


Add your travel dates for exact pricing

October 2024							November 20				
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th
		1	2	3	4	5					
6	7	8	9	10	11	12	3	4	5	6	7
13	14	15	16	17	18	19	10	11	12	13	14
20	21	22	23	24	25	26	17	18	19	20	21
27	28	29	30	31			24	25	26	27	28



★ 4.85 · 26 reviews

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5 4 3 2 1	4.9	4.9	5.0	5.0	4.8	4.7

 **Jean**
Minneapolis, Minnesota

★★★★★ · 3 days ago · Stayed one night

The home was very fun and comfortable. The front porch was great for evening and morning conversations. The steps are steep but we old folks did just fine. I thought the location was convenient but you could not walk to Lake Street. I would recommend for short stays for four people. We were very satisfied. Thank you Brian!!!

[Show more](#)



Anne

Saint Paul, Minnesota

★★★★★ · 5 days ago · Stayed a few nights

Brian is a great host - he is very responsive and truly cares about your experience.



Renee

Minneapolis, Minnesota

★★★★★ · 1 week ago · Stayed with kids

We had a great stay, it was an ideal location central for hopping around town and also a peaceful neighborhood we felt cozy in. We appreciated the responsive and proactive communication throughout the stay.

[Show more](#)



Debbie

Reisterstown, Maryland

★★★★★ · 2 weeks ago · Stayed one night

Place was clean, simple. Nice location. Labels, labels. The only thing I would add is that I needed to work off my laptop and needed the router key code to log on. I never found it and had to hotspot off my phone which was irritating. Other than that, it was a nice place.

[Show more](#)

Elizabeth

Harris, Minnesota

★★★★★ · 2 weeks ago · Stayed a few nights

Clean, comfortable, good amenities. Close to downtown and canal park.

Harriet

Saint Cloud, Minnesota

★★★★★ · 2 weeks ago · Stayed a few nights


One of the best air bnbs weve stayed at.

[Show all 26 reviews](#)

Where you'll be

Duluth, Minnesota, United States

Meet your Host





Brian
🏆 Superhost

161
Reviews

4.96 ★
Rating

2
Years hosting

 My work: I'm a public school teacher. I also work intermittently in the new and upcoming film production industry that has been utilizing northern Minnesota and garnering national attention to the area.

 Favorite song in high school: excursions; a tribe called Quest

I have been a lifelong resident and a short-term/long-term rental host and landlord in Duluth, MN for the last 14 years. I enjoy utilizing the area's urban/outdoor amenities such as Park Point, Canal Park, Downtown, the Lake...

[Show more >](#)

Brian is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Co-hosts

Owen

David

Host details

Response rate: 100%

Responds within an hour

Message Host

Registration number: VFPOP2022-8785



To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules

Check-in after 3:00 PM

Checkout before 11:00 AM

4 guests maximum

[Show more >](#)

Safety & property

Carbon monoxide alarm

Smoke alarm

[Show more >](#)

Cancellation policy

Add your trip dates to get the cancellation details for this stay.

[Add dates >](#)

[Airbnb](#) > [United States](#) > [Minnesota](#) > [St. Louis County](#) > [Duluth](#)

Explore other options in and around Duluth

Lutsen

Vacation rentals

Two Harbors

Vacation rentals

Bayfield

Vacation rentals

Apostle Islands

Vacation rentals

Ely
Vacation rentals

Madeline Island
Vacation rentals

Mille Lacs Lake
Vacation rentals

Hayward
Vacation rentals

Ironwood
Vacation rentals

Other types of stays on Airbnb

Duluth vacation rentals

Apartment vacation rentals in St. Louis County

Apartment vacation rentals in Minnesota

Family-friendly vacation rentals in United States

Duluth monthly stays

Family-friendly vacation rentals in St. Louis County

Family-friendly vacation rentals in Minnesota

Support

Help Center

AirCover

Anti-discrimination

Disability support

Cancellation options

Report neighborhood concern

Hosting

Airbnb your home

AirCover for Hosts

Hosting resources

Community forum

Hosting responsibly

Airbnb-friendly apartments

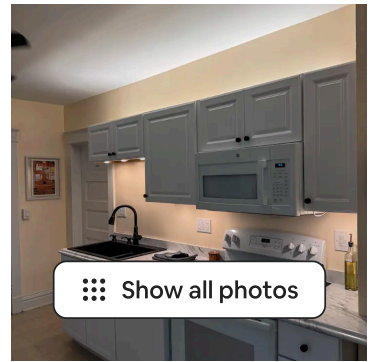
Join a free Hosting class

Find a co-host

Airbnb

EXCNorth Bay PL/near Bentleyville

[Share](#) [Save](#)



Show all photos

Room in Duluth, Minnesota

4 beds · Dedicated bathroom



Guest favorite

4.98
★★★★★

138
[Reviews](#)



Hosted by Brian

Superhost · 2 years hosting



Room in a rental unit

Your own room in a home, plus access to shared spaces.



Exceptional check-in experience

Recent guests gave the check-in process a 5-star rating.



City and lake views

Soak up the views during your stay.

About this place

Welcome to EXC North Bay Place! Our centrally located, spacious apartment offers sleep options of 4 separate beds-3 separate sleeping areas-One queen in bedroom, 2 twins in bedroom, and one queen pull out in living room

Location:...

[Show more](#) >

Where you'll sleep

1 / 2



\$121 night

CHECK-IN
12/9/2024

CHECKOUT
12/11/2024

GUESTS
1 guest



Reserve

You won't be charged yet

\$121 x 2 nights \$242

Cleaning fee \$50

Airbnb service fee \$41

Total before taxes \$333



This is a rare find

Brian's place is usually fully booked.

[Report this listing](#)













Bedroom 1
2 single beds



Living room
1 sofa bed

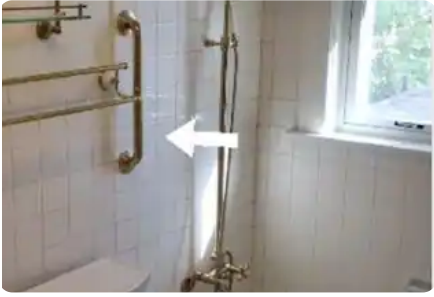
What this place offers

-  Lock on bedroom door
-  Bay view
-  Canal view
-  Kitchen
-  Fast wifi – 351 Mbps
-  Dedicated workspace
-  Free parking on premises
-  50 inch HDTV with Roku
-  Free washer – In unit
-  Free dryer – In unit

[Show all 56 amenities](#)

Accessibility features

This info was provided by the Host and reviewed by Airbnb.



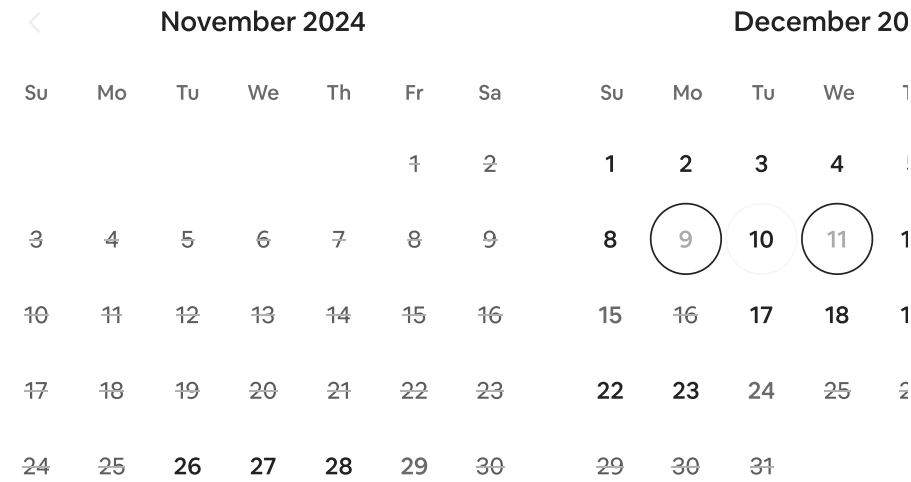
Full bathroom

Fixed grab bars for shower

Show all feature details

2 nights in Duluth

Dec 9, 2024 - Dec 11, 2024



4.98

Guest favorite

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

5
4
3
2
1

Cleanliness

4.9



Accuracy

5.0



Check-in

5.0



Communication

5.0



Location

4.9



Value

4.9



Grace

Minneapolis, Minnesota

★★★★★ · 1 day ago · Stayed a few nights

This is a great spot for a small group visit to Duluth. As typical in Duluth, the house has stairs up to the house and the unit was the top floor by stairs only, so keep that in mind for anyone requiring more accessibility. The rooms had blackout curtains, sound soothers and air purifiers which made for a great sleep. The kitchen has everything you ne...

[Show more](#)

La Tasha

Sheboygan, Wisconsin

★★★★★ · 1 week ago · Stayed with kids

Great place & location.

Alia

1 month on Airbnb

★★★★★ · 2 weeks ago · Stayed one night

awesome space and location. loved our trip and even better to come back to a warm bed and a nice place for a movie!

Shannon

Minneapolis, Minnesota

★★★★★ · October 2024 · Stayed a few nights

Brian's place was clean and everything was well labeled. Lots of space!

Hope

Lexington, Kentucky

★★★★★ · September 2024 · Stayed a few nights

Our group really enjoyed this house! Spacious with a well-equipped kitchen. The back bedroom got a little stuffy if the door was closed and ceiling fan was off, but was comfortable overnight. Great hot water pressure from the shower. Dimmable light switches. The electronic door lock worked fine for us! Clear instructions, easy to check in an...

[Show more](#)

Nancy

Stuart, Florida

★★★★★ · September 2024 · Stayed a few nights

Very well equipped and comfortable We enjoyed our stay

Show all 138 reviews

Where you'll be

Duluth, Minnesota, United States

Neighborhood highlights

You will be in the Observation Hill Neighborhood which sits in between Canal Park/Downtown and the Craft District. Also, near Enger Tower, the Duluth Traverse Trail/Lake Superior Hiking trail, and many other Duluth attractions.

[Show more](#) >

Meet your Host



Brian

🏠 Superhost

167


Reviews


4.96 ★

Rating


2

Years hosting

 My work: I'm a public school teacher. I also work intermittently in the new and upcoming film production industry that has been utilizing northern Minnesota and garnering national attention to the area.

 Favorite song in high school: excursions; a tribe called Quest

 I spend too much time: on YouTube

 For guests, I always: Make sure you have the best textiles.

 I'm happy to spend time with my guests or give them space

I have been a lifelong resident and a short-term/long-term rental host and landlord in Duluth, MN for the last 14 years. I enjoy utilizing the area's urban/outdoor amenities such as Park Point, Canal Park, Downtown, the Lake...

[Show more >](#)

Brian is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Co-hosts

Owen

David


Host details

Response rate: 100%

Responds within an hour

[Message Host](#)

Registration number: VFPOP2022-8785

 To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules

Check-in after 3:00 PM

Checkout before 11:00 AM

4 guests maximum

[Show more >](#)

Safety & property

Carbon monoxide alarm

Smoke alarm

Potential for noise

[Show more >](#)

Cancellation policy

Cancel before Dec 2 for a partial refund. After that, this reservation is non-refundable.

Review this Host's full policy for details.

[Show more >](#)

[Airbnb](#) > [United States](#) > [Minnesota](#) > [St. Louis County](#) > [Duluth](#)

Explore other options in and around Duluth

Lutsen

Vacation rentals

Two Harbors

Vacation rentals

Ely

Vacation rentals

Madeline Island

Vacation rentals

Mille Lacs Lake

Vacation rentals

Bayfield

Vacation rentals

Apostle Islands

Vacation rentals

Hayward

Vacation rentals

Ironwood

Vacation rentals

Other types of stays on Airbnb

[Duluth vacation rentals](#)

[Apartment vacation rentals in Duluth](#)

[Family-friendly vacation rentals in St. Louis County](#)

[Family-friendly vacation rentals in Minnesota](#)

[Duluth monthly stays](#)

[Apartment vacation rentals in United States](#)

[Apartment vacation rentals in St. Louis County](#)

[Apartment vacation rentals in Minnesota](#)

Support

[Help Center](#)

[AirCover](#)

[Anti-discrimination](#)

[Disability support](#)

[Cancellation options](#)

[Report neighborhood concern](#)

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Recent guests gave



City and lake view

Soak up the views

About this place

Welcome to EXC North Bay Place Our centrally located, spacious apartment offers sleep options of 4 separate bedrooms-3 separate sleeping areas-One queen in bedroom, 2 twins in bedroom, and one queen pull out in living room

Location:
Near DT Duluth, Craft Dist

[Show more >](#)

Where you'll sleep



Bedroom 1
2 single beds

What this place offers

- Lock on bedroom door
- Canal view
- Fast wifi – 351 Mbps
- Free parking on premises

X

About this place

Welcome to EXC North Bay Place Our centrally located, spacious apartment offers sleep options of 4 separate beds-3 separate sleeping areas-One queen in bedroom, 2 twins in bedroom, and one queen pull out in living room

Location:
Near DT Duluth, Craft Dist, Bayfront Pk, and Canal Pk

apt:
A cozy, stylish/vintage retreat w/modern amenities-Comfy seating, local art, and separate office.

- Amenities:
- Vintage-inspired bathroom
 - Full dining room
 - Full kitchen
 - In-unit laundry
 - Local art

The space
two bedroom apartment + office, living room, full kitchen, large dining room, laundry on-unit, dishwasher, two twin xl beds, 1 queen, and one queen pull-out bed.

Guest access
Full access to whole apartment and laundry in-unit. A small bench in the back is accessible for fresh air. The porch in front is not accessible.

During your stay
I will be available

Other things to note
Plenty of parking on-street available. Alternate side parking is in effect year round making loading into apartment very close and easy all year.

This is an upstairs apartment with a separate apartment below

Registration number
VFPOP2022-8785

50 inch HDTV with Roku

CHECKOUT
11/11/2024



arged yet

\$242

\$50

\$41

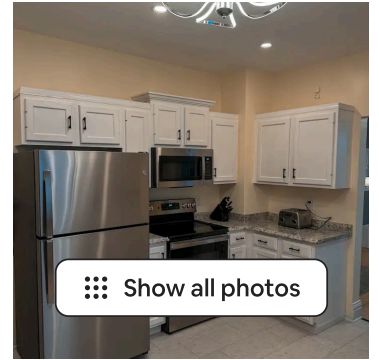
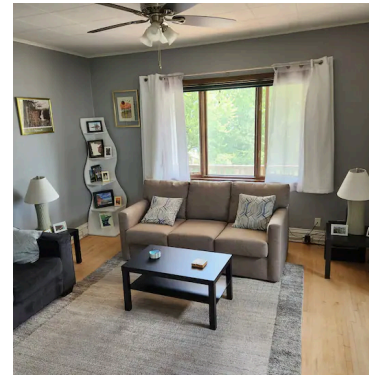
\$333

fully booked.

listing

EXCNorth Lake Place/near canal park/monthly rental

[Share](#) [Save](#)



Show all photos

Entire rental unit in Duluth, Minnesota

4 guests · 2 bedrooms · 4 beds · 1 bath

★ 4.86 · [29 reviews](#)



Hosted by Brian

Superhost · 2 years hosting



Exceptional check-in experience

Recent guests gave the check-in process a 5-star rating.



Self check-in

Check yourself in with the smartlock.



Brian is a Superhost

Superhosts are experienced, highly rated Hosts.

Add dates for prices

CHECK-IN

Add date

CHECKOUT

Add date

GUESTS

1 guest



[Check availability](#)



[Report this listing](#)

Some info has been automatically translated.

[Show original](#)

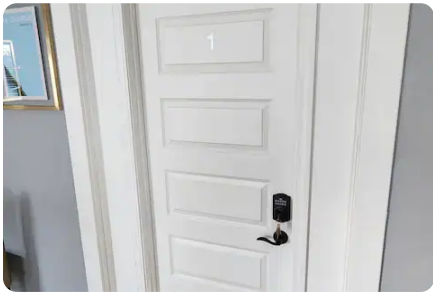
Welcome to EXC North Lake Place! Our centrally located, spacious apartment offers everything you need w/4 separate beds-3 separate sleeping areas. One queen in bedroom, 2 twins in bedroom, and one queen pull out in living room.

Location:...

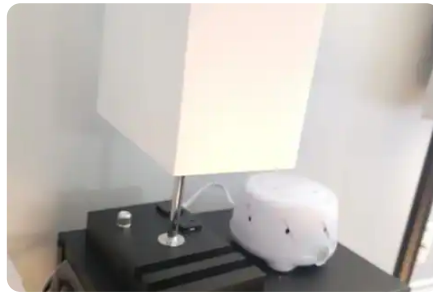
[Show more](#) >

Where you'll sleep

1 / 2













Bedroom 1
2 single beds



Bedroom 2
1 queen bed

What this place offers

-  Kitchen
-  Wifi
-  Free parking on premises
-  TV
-  Washer
-  Dryer
-  Air conditioning
-  Hair dryer
-  GE refrigerator
-  Microwave

Show all 41 amenities

Select check-in date

Minimum stay: 29 nights

December 2024							January 2025				
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th
1	2	3	4	5	6	7				1	2
8	9	10	11	12	13	14	5	6	7	8	9
15	16	17	18	19	20	21	12	13	14	15	16
22	23	24	25	26	27	28	19	20	21	22	23
29	30	31					26	27	28	29	30



★ 4.86 · 29 reviews

Overall rating

5
4
3
2
1

Cleanliness

4.9



Accuracy

4.9



Check-in

5.0



Communication

5.0



Location

4.8



Value

4.8



Megan

Minneapolis, Minnesota

★★★★★ · 3 weeks ago · Stayed a few nights

Brian's home worked perfectly for 3! It was a beautiful home that was just up the hill from everything you could need. Really appreciated the full kitchen and games for nights you want to stay in. Would recommend this stay to anyone wanting to have a perfect getaway weekend in Duluth. Will for sure check if there's openings for my next trip up...

[Show more](#)



Cesar

Morelia, Mexico

★★★★★ · October 2024 · Stayed with kids

Excellent



Jean

Minneapolis, Minnesota

★★★★★ · October 2024 · Stayed one night

The home was very fun and comfortable. The front porch was great for evening and morning conversations. The steps are steep but we old folks did just fine. I thought the location was convenient but you could not walk to Lake Street. I would recommend for short stays for four people. We were very satisfied. Thank you Brian!!!

[Show more](#)



Meghan

3 years on Airbnb

★★★★★ · October 2024 · Stayed with kids

This was a perfect location for my little family! My kids have never slept this good at an AirBnb before. "Jack & Jill" bathroom connected to both rooms was great and the neighborhood seemed real peaceful. The only thing I was worried about was being quiet enough with my littles in the morning (to not wake up others in the other unit). I'd...

[Show more](#)



Anne

Saint Paul, Minnesota

★★★★★ · October 2024 · Stayed a few nights

Brian is a great host - he is very responsive and truly cares about your experience.



Renee

Minneapolis, Minnesota

★★★★★ · October 2024 · Stayed with kids

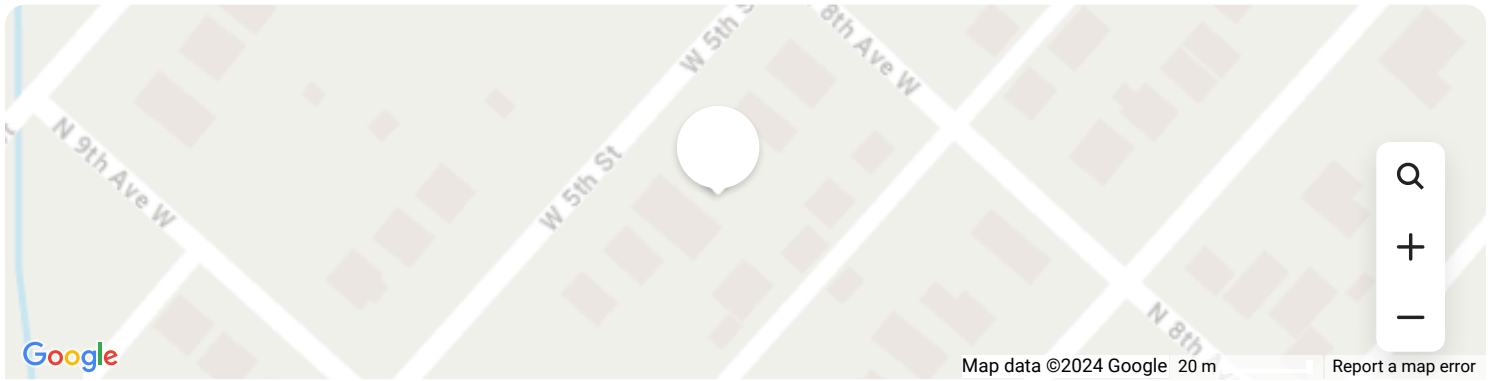
We had a great stay, it was an ideal location central for hopping around town and also a peaceful neighborhood we felt cozy in. We appreciated the responsive and proactive communication throughout the stay.

[Show more](#)


Show all 29 reviews

Where you'll be

Duluth, Minnesota, United States



Meet your Host




Brian
 Superhost

167
Reviews

4.96 ★
Rating

2
Years hosting

 My work: I'm a public school teacher. I also work intermittently in the new and upcoming film production industry that has been utilizing northern Minnesota and garnering national attention to the area.

 Favorite song in high school: excursions; a tribe called Quest

I have been a lifelong resident and a short-term/long-term rental host and landlord in Duluth, MN for the last 14 years. I enjoy utilizing the area's urban/outdoor amenities such as Park Point, Canal Park, Downtown, the Lake...

[Show more >](#)

Brian is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Co-hosts

Owen

David

Host details

Response rate: 100%
Responds within an hour

Message Host

Registration number: VFPOP2022-8785



To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules

Check-in after 3:00 PM

Checkout before 11:00 AM

4 guests maximum

[Show more](#) >

Safety & property

Carbon monoxide alarm

Smoke alarm

[Show more](#) >

Cancellation policy

Add your trip dates to get the cancellation details for this stay.

[Add dates](#) >

[Airbnb](#) > [United States](#) > [Minnesota](#) > [St. Louis County](#) > [Duluth](#)

Explore other options in and around Duluth

Lutsen

Bayfield

Vacation rentals

Two Harbors

Vacation rentals

Ely

Vacation rentals

Madeline Island

Vacation rentals

Mille Lacs Lake

Vacation rentals

Vacation rentals

Apostle Islands

Vacation rentals

Hayward

Vacation rentals

Ironwood

Vacation rentals

Other types of stays on Airbnb

Duluth vacation rentals

Apartment vacation rentals in St. Louis County

Family-friendly vacation rentals in Minnesota

Family-friendly vacation rentals in United States

Duluth monthly stays

Family-friendly vacation rentals in St. Louis County

Apartment vacation rentals in Minnesota

Support

Help Center

AirCover

Anti-discrimination

Disability support

Cancellation options

Report neighborhood concern

Hosting

11/12/2024

Brian Mooers
809 W. 4th Street
Duluth, MN 55806
bmooers39@gmail.com

City Of Duluth
City Hall, Room 330
411 West First Street
Duluth, MN 55802

To: City of Duluth Council Members.
From: Brian Mooers; City of Duluth Resident & Landlord
RE: PLIUP-2410-0012: *Interim Use Permit for a Vacation Dwelling Unit at 809 W. 4th St. by Brian Mooers (PLIUP-2410-0012)*

Dear City Council Members,

I am writing to you to file an appeal for a decision from the City of Duluth Planning Commission. The case that I am referring to is *Interim Use Permit for a Vacation Dwelling Unit at 809 W. 4th St. by Brian Mooers (PLIUP-2410-0012)*. This application was denied by the Planning Commission during their Nov. 6th, 2024 meeting.

I have been a landlord in the City of Duluth MN since 2012. In the month of 10/2024 approximately I decided to place my letter of intent for my residence that I was currently living in at 809 W. 4th Street property in the lottery for the Vacation Dwelling Unity Lottery. On approximately 1/4/2022 I was drawn # 77 in the initial vacation Dwelling unit lottery. In the meantime, while waiting for the lottery I applied for an accessory home share license and finished all requirements and abided by all laws and building codes required by the accessory home share. I added a dishwasher to the unit, washer/dryer, and also changed the windows in the bedrooms per fire code. I was granted my accessory home share license # VFPOP2022-8785 on 7/13/2022. (Note: This license actually is written for 811 West 4th Street Duluth Minnesota 55806.) I called the City of Duluth at this time about the error and they told me that I did not have to do anything to correct this error. I then posted this license in the entryway of 809 W. 4th Street Duluth, MN 55806.)

In the meantime, since 7/13/2022 I have been renting 809 West 4th Street out as an accessory homeshare on Airbnb. I have made sure that I have been present while my guests have been here and have abided by all ordinances since then.

I received an email on September 3, 2024 explaining to me that it was my turn on the lottery to start obtaining the necessary permitting for a Vacation Dwelling Unit Permit 809 West 4th Street. I attended a virtual meeting on Tuesday September 13th 2024 explaining the next steps in the process.

After this meeting I started completing the steps to obtain the vacation dwelling unit permit. I completed the whole application and provided a sound plan under their requirements for a Vacation Dwelling Unit that included a site plan and screening plan. Before I submitted this application I ended up securing a home equity loan to get the proper screening in to meet code for vacation dwelling units. The construction for the fencing/screening is currently scheduled to happen to meet the screening requirements for a Vacation Dwelling Unit. . On October 15th, 2024 I paid \$1854.00 to the city of Duluth as application for PL Interim Use Permit fee (INV-0000852).

During this process, I was assigned Natalie Lavenstein; Planner; Planning and Development Division; City of Duluth. On October,23, 2024. I placed a zoning notice sign in my yard explaining the time and date of the Vacation Dwelling Unit Permit meeting. I completed all necessary steps for the Vacation Dwelling Unit Permit.

On October 31st, 2024 Natalie called me and stated that a neighbor had made a comment that I am operating a vacation dwelling unit already. I stated to her that I indeed was operating a short-term rental under the accessory home share license at 809 w 4th Street Duluth Minnesota 55806. She had also made a mention stating that I was operating a short-term rental at 811 West 4th Street Duluth Minnesota 55806. I mentioned to her that I am the owner of both properties and I was not aware of anything like that happening at 811 West 4th Street Duluth Minnesota 55806 and that apartment is licensed as a long-term rental. I also told her that my 809 West 4th Street 55806 apartment is licensed as a long-term rental as well. She mentioned to me on the phone that she is recommending approval of my application to the planning commission and that I did not have to attend the meeting.

On October 31, 2024 Natalie sent me a link to the agenda to the meeting. I looked at the agenda and did not look at the staff notes in the agenda at that. I had assumed that everything was completed and that I did not have to do anything else as my Vacation Dwelling Unit Permit was complete and the \$1800 "6 year" operating fee was paid.

On November 6th, 2024 I attended the Planning Commission meeting. I was excited to attend the meeting as I had expended a ton of effort and almost 3 years of renovations, planning, and waiting to become a Vacation Dwelling Unit. During the meeting I discovered the staff notes contained claims that I was currently out of compliance on both of my properties. In the staff under #2 it claims,

"Staff notes that applicant is in current violation of their Accessory Home Share permit (PLAHS2111-001) by renting more than the approved bedroom amount and by not occupying the unit. Applicant is also in violation at 811 W 4th St by using that unit as a vacation dwelling unit without a permit. Applicant has been notified through a City enforcement action that 811 W 4th St must cease operating as a vacation dwelling unit; approval of this interim use permit will allow applicant to come into compliance for 809 W 4th St."

During the meeting I was told that I received a letter in the mail regarding these alleged violations through an enforcement action. At this time I believed I did not receive a letter in the mail regarding these alleged violations. The next day after this meeting I discovered a certified letter notice from the City of Duluth on November 6th, 2024 that was delivered at approximately 3:30 pm. During this meeting they referred to this letter numerous times. I was not able to read this letter before the meeting as I was at work all day and the meeting was at 5:00 pm that evening.

I did respond to these claims in the meeting in person to the planning committee. I let them know that I was operating an accessory home share at 809 West 4th Street Duluth Minnesota 55806. They asked me various questions about and stated that I had it listed as a separate unit and not a shared unit. I did not know that I had it listed incorrectly and that I could fix that and be in compliance at any time. They did ask me about 811 West 4th Street Duluth Minnesota 55806 and I told them that property is under a long-term rental license and that I was not aware it being rented as a short-term rental and that as far as I was aware that it was under compliance as a long-term rental and listed on AirBnb as a minimum of 29 days for a rental. I also told them that if there were any discrepancies at all that I could fix these. They also referenced the letter that I never received numerous times. Towards the end of my hearing they denied my application. I asked them about the appeals process after the meeting.

I am asking the City Council to reverse this decision from the Planning Commission. On the first allegation that I am operating in violation the code states that... *"property owners must reside in the owner-occupied homestead property and may apply for one accessory home share in their owner-occupied homesteaded property. The owner occupied unit may be located within a one-family or two-family structure, but may not be located in a multi-family building with 3 units or more."* I currently do reside in that unit and occupy that unit and it is within a duplex. I did change that listing to only advertise one room in the settings even though I believe I was in compliance because I explicitly stated in the descriptions that it is shared. It is now listed as shared and I may switch it to a mid-term rental as well with a 29 day minimum stay. Also, it states that I must stop use of 811 W 4th Street as a vacation dwelling unit. It is not out of compliance to list my property on AirBNB for a minimum of 29 days. This property is listed on AirBNB as a mid-term rental and is in compliance.

I have read through the UNIFIED DEVELOPMENT CHAPTER Chapter 50 of the City of Duluth Legislative Code. In chapter Article 5, Page 8 (UDC 3/23) the approval criteria states: *"The*

planning commission shall approve or recommend approval of an application if it makes a written finding that: (a) The application is consistent with the adopted comprehensive land use plan, as that plan may have been amended after adoption; (b) The application complies with all applicable requirements of this Chapter, as those requirements may have been varied through a variance approved pursuant to Section 50- 37.9; (c) The application complies with all additional approval criteria listed in Section 50-37.2 below; 2.”

I believe that my application was completely consistent with adopted comprehensive land plan and that it complies with all applicable requirements of this Chapter. My application was complete, paid for, and completely comprehensive for a Vacation Dwelling Unit in a Residential-1 neighborhood.

It also states on Article 5, Page 9 (UDC 3/23); As an alternative to denying an application, the building official and the land use supervisor are authorized to approve applications with conditions necessary to bring them into compliance with the requirements of this Chapter or with any previously approved district plan for the property; 2. As an alternative to denying an application, the planning commission is authorized to recommend or impose conditions on approvals that it determines are necessary to (a) bring the application into compliance with the requirements of this Chapter, the purposes of the zone district where the property is located or any previously approved district plan for the property, or (b) prevent or minimize adverse effects upon surrounding areas or upon public facilities and services; 3. All conditions imposed on approved applications shall be reasonably related to the anticipated impacts of the proposed development or land use and to the purposes of this Chapter; 4. In the case of decisions made by the planning commission or council, where mitigation of the impacts of a proposed plan or development requires an applicant to dedicate land or pay money to a public entity in an amount that is not calculated according to a formula applicable to a broad class of applicants, any condition imposed shall be roughly proportional both in nature and extent to the anticipated impacts of the proposed development, as shown through an individualized determination of impacts; 5. Any conditions on approved applications shall be listed in or attached to the approval document, and violation of any approved condition shall be a violation of this Chapter.

I believe given the fact that I was unclear on the listing that I should have been given the opportunity to have the application approved with conditions that I correct anything deemed out of compliance. The conditions of the letter that I received gave me a deadline of November 13th 2024 to come into compliance. I have already fixed the listings to be into compliance of the terms of the enforcement letter.

Please consider this appeal and these other factors as an applicant. I have complied with additional fire codes that are different than my long-term rental license, changed bedroom windows to egress size, added dishwashers etc. for the accessory homeshare license before submitting my application for a Vacation Dwelling Unit. I wanted to be completely prepared for this permit. I also obtained a \$40,000 equity loan to add screening to be in compliance with the Vacation Dwelling Unit permit. I obtained this loan after the initial vacation dwelling unit meeting and did everything possible to attempt to make sure I was under compliance with the fencing

license on 7/13/2022. This is the license that I was granted. This license actually says 811 West 4th Street Duluth Minnesota 55806. It was supposed to be for for 809 West 4th Street Duluth Minnesota 55806.

<https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:7f7bc9f-8a3f-4470-9efc-5ba743809c24>

In the meantime, since 7/13/2022 I have been renting 809 West 4th Street out as an accessory homeshare on Airbnb. I have made sure that I have been present while my guests have been here and have abided by all ordinances since then.

I received an email on September 3, 2024 explaining to me that it was my turn on the lottery to start obtaining the necessary permitting for a Vacation Dwelling Unit Permit 809 West 4th Street. I attended a virtual meeting on Tuesday September 13th 2024 explaining the next steps in the process.

After this meeting I started completing the steps to obtain the vacation dwelling unit permit. The license number plan number that I started to work on for the interim vacation dwelling unit was Plan Number: PLIUP-2410-0012

I completed the whole application and provided a sound plan under their requirements for a Vacation Dwelling Unit. I provided a site plan and screening plan. Before I submitted the application I ended up securing a home equity loan to get the proper screening in to meet code for vacation dwelling units. The construction for the fencing/screening is currently scheduled and going to happen. On October 15th, 2024 I paid \$1854.00 to the city of Duluth as application for PL Interim Use Permit fee INV-00008521.

After I paid this fee I was assigned Natalie Lavenstein; Planner; Planning and Development Division; City of Duluth. On October, 23, 2024 I placed is zoning notice sign in my yard explaining the time and date of the Vacation Dwelling Unit Permit meeting. On October 31st, 2024 Natalie called me and stated that a neighbor had made a comment that I am operating a vacation dwelling unit already. I stated to her that I indeed was operating a short-term rental under the accessory home share license at 809 w 4th Street Duluth Minnesota 55806. She had also made a mention stating that I was operating a short-term rental at 811 West 4th Street Duluth Minnesota 55806. I mentioned to her that I am the owner of both properties and I was not aware of anything like that happening at 811 West 4th Street Duluth Minnesota 55806 and that apartment is licensed as a long-term rental. I also told her that my 809 West 4th Street 55806 apartment is licensed as a long-term rental as well. She mentioned to me on the phone that she is recommending approval of my application to the planning commission and that I did

code before this meeting on Nov 6th, 2024. This has been a huge family effort and a dream of mine that I have been waiting for a long time and I have gone through every proper channel. I have made major renovations and have made sure that my property has been of the highest standard of codes from the city of Duluth for my accessory home share and my long-term rental license. I believe I should have been given a chance to fix any discrepancies or questions about compliance and then have been given a chance to obtain my vacation dwelling unit permit under conditions. I have not had any disciplinary/corrective actions in the two-three years that I have been operating an accessory homeshare. I have not had any neighbor complaints or problems under my accessory home share license and/or my long-term rental license. Again, I have been a lifelong citizen of Duluth Minnesota and a landlord for 12 to 13 years and am asking that I am approved for the *Interim Use Permit for a Vacation Dwelling Unit at 809 W. 4th St.* by Brian Mooers (PLIUP-2410-0012).

Sincerely,

Brian Mooers
809 W 4th Street.
Duluth, MN 55806

City of Duluth
Community Planning Division
Accessory Home Share Permit

Address: 811 W 4TH ST
Parcel No.: 010-1270-03050

Permit No.: PLAHS2111-001

Issued: 7/13/2022

Permit Holder: MOOERS BRIAN D
Owner Name: MOOERS BRIAN D

Expires: 7/1/2025

This Accessory Home Share Permit is issued pursuant to the requirements of the Duluth Legislative Code, including Section 50-20.5 (g), Unified Development Chapter, and the conditions of approval noted herein.

Approved Locations:

1 Bedroom at 809 W 4th Street

Conditions of Approval:

This permit expires in 3 years on **7/1/2025**.

Approved by: TMS

On behalf of Land Use Supervisor Adam Fulton
Deputy Director, Planning & Construction Services

Date: 7/13/2022

AFFIDAVIT

Date: 11-9-2021

Purpose: Verification of Owner Occupancy during guest rental

Address: 809 W. 4th St Parcel ID#: 010-1270-03050

(PRINT FULL NAME) Brian David Mooers personally came and appeared before me, the undersigned Notary, the within named (PRINT FULL NAME) Armella Rose Bijold who is the owner and occupant of the above address makes this his/her statement and General Affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts and things set forth are true and correct to the best of his/her knowledge:

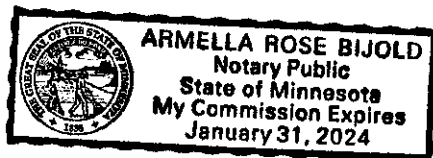
- I am currently the whole or partial owner of the above listed address and I reside at the address and will abide by the requirements for owner occupancy during the rental of the property as an accessory home share listed in UDC Sec. 50-20.5.G.

Dated this 9th day of November 20 21

Signature of Affidavit Petitioner: Brian Mooers

Sworn to subscribed before me, this 9th day of November, 20 21

Signature of Notary Public: Armella Rose Bijold



NEW PLAN

- Summary
- Details
- Location
- Additional Info**
- Workflow
- Linked Records
- Holds
- Contacts (2)
- Fees (1)
- Bonds
- Activities
- Files (8)
- Print Documents
- Conditions
- Tasks (1)
- Internal Notes

Have you completed a pre-application meeting?

A pre-application meeting with Planning staff is required for this application. If you have not had a pre-application meeting, please do not proceed. Your application will be found incomplete. Contact planning@duluthmn.gov to schedule a pre-application meeting.

In which zone district is the property located?
 AP
 F-1
 F-2
 F-3
 F-4

The minimum rental period shall be not less than two consecutive nights (does not apply to Form districts).

What will be your minimum rental period (nights)?

The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two. You may rent no more than four bedrooms.

How many legal bedrooms are in the dwelling?

What will be your maximum occupancy?

Off-street parking shall be provided at the following rate:
 a. 1-2 bedroom unit, 1 space
 b. 3 bedroom unit, 2 spaces
 c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one
 d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.

The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contract, property use rules, taxation, and interim use permit violations procedures.

The property owner must provide a site plan, drawn to scale, showing parking and driveway structures and outdoor recreational areas that will be allowed to use, including, but not limited to deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any urban screen that may be required to buffer the areas from adjoining properties. Please note that this must be on 18 x 11 size paper.

The interim use permit shall expire upon change of ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.

Permit holder must keep a guest record including name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice.

Explain how/where you will keep your guest record

Permit holder must disclose in writing to their guest the following rules and regulations:
 a. The managing agent or local contact's name, address, and phone number;
 b. The maximum number of guests allowed at the property;
 c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
 d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
 e. Applicable sections of City ordinances governing noise, parks, parking and pets;

NEW PLAN

- Summary
- Details
- Location
- Additional Info**
- Workflow
- Linked Records
- Holds
- Contacts (2)
- Fees (1)
- Bonds
- Activities
- Files (8)
- Print Documents
- Conditions
- Tasks (1)
- Internal Notes

What will be your maximum occupancy?
6

Off-street parking shall be provided at the following rate:
 a. 1-2 bedroom unit, 1 space
 b. 3 bedroom unit, 2 spaces
 c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one
 d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.
 e. Form districts are not required to provide parking spaces.

Number of off-street parking spaces?
1

Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street.

Will you allow motorhome or trailer parking?
No

If so, where?

Explain how/where you will keep your guest record

Permit holder must disclose in writing to their guest the following rules and regulations:
 a. The managing agent or local contact's name, address, and phone number;
 b. The maximum number of guests allowed at the property;
 c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
 d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
 e. Applicable sections of City ordinances governing noise, parks, parking and pets;

Where/how is this info provided to your guests?

Permit holder must post their permit number on all print, poster or web advertisements.

Do you agree to include the permit # on ads?
Yes

Prior to rental, permit holder must provide the name, address, and phone number of the managing agent or local contract to all property owners within 100' of the property boundary; submit a copy of this letter to the Planning and Community Development office. In addition, note that permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contract's contact information.

When will neighboring property owners be notified?

Status Date

NEW PAYMENT

- Details
- Fees
- Internal Notes (1)
- Files
- Print Documents
- History

REC-008772-2024 (\$1,854.00 Fee Payment)

Billing Contact
EXC North, BRIAN MOOERS [✉](#)

Payment Method Credit Card	Payment Amount \$1,854.00	Transaction Date 10/15/2024
Payment Note u7oK5nyVYgfu	Payment Date 10/15/2024	Office
Transaction Note Order Number: 5662	Transaction Status Complete ✎	Deposit Reference EGW-000157
Transaction Type Fee Payment	Batch Number EGW-000157	

[OPEN REGISTER](#)



**City of Duluth
Fire Department - Life Safety Division**

615 West First Street • Duluth, Minnesota • 55802-1194
218-730-4380 • Fax: 218-730-5902 • www.duluthmn.gov

An Equal Opportunity Employer



RENTAL LICENSE

Date Issued: 01/10/2024

LOCATION OF LICENSED PREMISE:

**809-811 W 4TH ST
DULUTH, MN 55806**

LICENSE #:LS-2-1874

PLAT/PARCEL #:010-1270-03050:

LICENSED UNITS: **1**

BEDROOMS: **2**

LICENSE TYPE: **2 FAMILY**

PARKING: **4**

LICENSE EXPIRES: 10/01/2025

PROPERTY OWNER: BRIAN D MOOERS
 809- 811 W 4TH ST
 DULUTH, MN 55806

CONDITIONS:

UPPER UNIT - LICENSED RENTAL
LOWER UNIT - OWNER OCCUPIED

THIS LICENSE IS BEING ISSUED WITH COMMENT: APPLY PROTECTIVE TREATMENT TO GARAGE BY NEXT LICENSING PERIOD

THIS LICENSE AUTHORIZES RENTAL FOR PERIODS OF 30 DAYS OR MORE. FOR RENTAL PERIODS OF LESS THAN 30 DAYS A VACATION DWELLING UNIT INTERIM USE PERMIT IS REQUIRED, WHERE CODES ALLOW.

It is recommended that you maintain a copy of this license for your file as there is a charge of \$ 11.00 for each additional copy.

**BRIAN D MOOERS
809- 811 W 4TH ST
DULUTH, MN 55806**

Fire Prevention / Life Safety Division
Fire Marshal

City of Duluth Planning Commission

November 6th, 2024 – City Hall Council Chambers
Meeting Minutes

Call to Order

President Gary Eckenberg called to order the meeting of the city of Duluth Planning Commission at 5:00 p.m. on Wednesday, November 6th, 2024, in the Duluth city hall council chambers.

Roll Call

Attendance:

Members Present: Jason Crawford, Gary Eckenberg, Jason Hollinday, Margie Nelson, Danielle Rhodes, and Andrea Wedul

Members Absent: Chris Adatte, Brian Hammond, and Dave Sarvela

Staff Present: Nick Anderson, Amanda Mangan, Jason Mozol, Jenn Moses, Ariana Dahlen, Natalie Lavenstein, and Sam Smith

Approval of Planning Commission Minutes

Planning Commission Meeting – October 8th, 2024 –

MOTION/Second: Hollinday/Crawford approved

VOTE: (6-0)

Public Comment on Items Not on Agenda

No comments.

Consent Agenda

PLVAR-2410-0007 Shoreland Variance for New Detached Garage at 3709 W 4th St by Leo DeMontani

PLIUP-2410-0007 Interim Use Permit for Vacation Dwelling Unit at 9426 Congdon Blvd by Amanda Flowers

PLVAC-2410-0007 Vacation of Alleys within Dickerman's Division of Duluth by Alta Land Survey Company

PLSUP-2410-0005 Special Use Permit for Wireless Facility at 1600 London Rd by MasTec

PLIUP-2410-0013 Interim Use Permit for a Vacation Dwelling Unit at 1131 Denney Dr by Kate Hage

PLVAR-2410-0008 Variance for Shoreland Setback for Public Water Access of St. Louis River Near Perch Lake by the City of Duluth

Commission review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.

Vote: (6-0)

PLIUP-2410-0012 Interim Use Permit for a Vacation Dwelling Unit at 809 W 4TH St by Brian Mooers

Staff: Natalie Lavenstein addressed the commission. The applicant proposes use of a 2-bedroom dwelling in a duplex as a new vacation rental property. Applicant was on the eligibility list. The applicant proposes use of a 2-bedroom dwelling in a duplex as a new vacation rental property. The dwelling unit contains 2 bedrooms, which allow for a maximum of 5 guests. The application states 6 guests as a maximum, but as it was noted before, the correct maximum is 5 guests. Staff notes that applicant is in current violation of their Accessory Home Share permit (PLAHS2111-001) by renting more than the approved bedroom amount and by not occupying the unit. Applicant is also in violation at 811 W 4th St by using that unit as a vacation dwelling unit without a permit. Applicant has been notified through a City enforcement action that 811 W 4th St must cease operating as a vacation dwelling unit; approval of this interim use permit will allow applicant to come into compliance for 809 W 4th St.

The proposed minimum rental period will be two nights. One parking space will be provided in the rear area, and the applicant has indicated they will not allow motorhome or trailer parking. The site plan does indicate outdoor furniture in the rear yard as an outdoor amenity. The site plan indicates a proposed fence as the dense urban screen. The fence will screen the home and the outdoor amenity in the rear yard. The applicant has listed themselves to serve as the managing agent to be available 24 hours a day. One public comment was received in opposition of the project and is attached in the staff report. Staff recommends approval with conditions listed in the staff report, and with another condition that the maximum number of guests is 5.

Commissioners: Commissioner Rhodes stated that she is not okay with rewarding someone who is actively in violation of the zoning code. Rhodes asked staff ahead of time if there are any rules regulating this in the UDC, but there are none.

Staff: Jenn Moses responded to Commissioner Rhodes and stated that in the use-specific standards for VDUs, a permit may be denied if the applicant is found to be in violation. Staff recommended approval, and staff typically has a process of working with people to come into compliance, and note that there is not a long history of violations. Staff will leave the decision to the commissioners based on staff findings.

Commissioners: Discussion ensued about past approvals of permits that were found to be out of compliance. However, some commissioners were against approval for this permit because the applicant has been notified that they were in violation by staff, but continues to have their online listings up advertising their in-violation short-term rentals.

Commissioner Crawford asked about the status of current waiting list and asked if the cap has been reached. He is confused as to why this applicant should be granted a permit while being out of compliance, when the next person on the list may not be in violation of the code. He doesn't want to reward violations.

President Eckenberg asked for clarification on the lottery and the number of current active licenses throughout the city. It's his understanding that there are currently 157 VDUs in Duluth, with 74 of those being in Form districts and not subject to the cap of 100. He asked staff if the applicant is one of the people that is subject to the cap.

Staff: Moses replied that there are currently 83 active licenses out of the cap of 100, and staff is working with 17 applicants on the current list to fill the remaining spots and reach the cap.

This applicant is one of those 17 people, and she believes that there are around 50 additional people on the wait list. Staff cannot confirm whether everyone else on list is in compliance with the code at this time.

Commissioners: Eckenberg asked if the applicant has ceased operation as a VDU since staff notified them of being in violation. Rhodes noted that the applicant is actively advertising 2 listings for this property on Airbnb's website.

Staff: Moses said that staff only recently learned about the violations, and at this time she is not sure if the applicant has ceased operation. She recommends the commissioners hear from the applicant.

Applicant: Brian Mooers addressed the commission. He resides in 809 W 4th St and operates it as an Accessory Home Share (AHS). He stated that the 811 W 4th St address is in compliance with regulations because it is listed a long-term rental, with the rental period being at least 28 days. He's seeking the VDU permit for the unit at the 809 unit so he can move out of the 811 unit and continue to use it as a long-term rental. Mooers claimed that he was not sure if the online listing reflected the proper rental period length for a long-term rental. He said if it was not listed correctly that he would make the changes necessary.

Mooers reiterated that once the 809 unit is granted the VDU permit he will no longer live there, and the 811 unit will operate as a long-term rental, and he will be the managing agent.

Commissioners: Commissioner Rhodes asked the applicant why he was listing both addresses as entire rental units on Airbnb if he is currently living there.

Applicant: Mooers stated that his son was listing the units on his behalf, and that the listing for the 811 unit should advertise that it is a long-term rental. If the listings are not in compliance, he said he would change them as soon as he leaves the meeting.

Commissioners: President Eckenberg referenced the staff report, which states that Mooers is in current violation of his AHS permit by renting more than the approved bedroom amount, and by not occupying the unit. Commissioner Wedul questioned Mooers if he was indeed present during the rental periods, and if any of his past guests would concur with his claim if they were asked about it. and Commissioner Crawford looked at the listing on Airbnb and found that many of the reviews reflected rental periods of 1 night, a few nights, etc. Crawford asked if Mooers has just recently changed the listing to reflect long-term rental advertising. Commissioner Rhodes confirmed that the listing had not been changed yet.

Applicant: Mooers responded to commissioners that he is in the process of changing the listing. He has been a landlord for a long time, he stated that it has been great for the neighborhood. Mooers also promised that if he is not in compliance that he will change the listing and come into compliance. He has never had problems or neighbor complaints, and he believes he deserves a chance.

Commissioners: President Eckenberg noted that staff had only recently been made aware of the applicant's violations and asked Jenn Moses where planning staff stands on this matter given that they have worked with folks to come into compliance in the past.

Staff: Moses said that staff reviewed the applicant's listings on Airbnb, and both were clearly advertised that they were being rented as a full unit. Under the AHS permit, the most that someone is allowed to rent is 1 or 2 bedrooms, not the entire unit. The expectation is that the property owner permanently resides at the unit during the rental period. Nothing in the listing indicated that the owner was adhering to those rules, including the reviews that the commissioners had just found a few moments ago.

Staff typically starts with bringing people into compliance so they can follow the rules, but staff also recognizes that there is the ability for Planning Commission to deny the permit if the applicant is in violation, per the zoning code.

Applicant: Mooers added that he has been working with the city to come into compliance with things such as the screening requirements for both properties. He stated that if there is anything else that he needs to come into compliance with that he is willing to do so.

Public: No speakers.

Commissioners: Discussion ensued among the commissioners regarding the denial process, their findings that support denial of the permit, and what the appeal process entails. Commissioners welcome the applicant to come into compliance and then re-enter the VDU lottery in the future.

Motion/second: Rhodes/Wedul Deny the Interim Use Permit on the grounds that:

- 1. The applicant is in current violation of their Accessory Home Share permit (PLAHS2111-001) by renting more than the approved bedroom amount and by not occupying the unit.**
- 2. The applicant is also in violation at 811 W 4th St by using that unit as a vacation dwelling unit without a permit.**


Vote: (6-0)

Re: Planning Commission Agenda: PLIUP-2410-0012

From Brian Mooers <bmoopers39@gmail.com>

Date Thu 10/31/2024 8:43 PM

To Natalie Lavenstein <nlavenstein@DuluthMN.gov>

 1 attachment (25 KB)

Outlook-2okhig3i.png;

Ok... sounds good

On Thu, Oct 31, 2024, 3:55 PM Natalie Lavenstein <nlavenstein@duluthmn.gov> wrote:

Hi Brian,

The agenda for the November 6th Planning Commission meeting is published and can be viewed here: [Meeting Agenda \(duluthmn.gov\)](#). Within the agenda you can find the staff review for your application (PLIUP-2410-0012). You are not required to be at the meeting, but it is recommended. If you do attend, you will have the opportunity to speak to Planning Commission.

As I mentioned in our call this morning, staff recommends approval of your application to Planning Commission. We did receive public comment regarding your application, so there will be a public hearing at the meeting.

Thanks,

Natalie

Natalie Lavenstein | Planner I | **Planning and Development Division** | City of Duluth | 411 W
1st Street Room 160, Duluth, MN 55802 | nlavenstein@duluthmn.gov | 218-730-5326 | she/her/hers



Re: Your Planning Application (PLIUP-2410-0012)

From Brian Mooers <bmooers39@gmail.com>

Date Thu 10/17/2024 9:22 PM

To Natalie Lavenstein <nlavenstein@DuluthMN.gov>

 1 attachment (25 KB)

Outlook-misb23rw.png;

Sounds good. Thank you so much for clarifying all of that. I will do my due diligence in getting the fencing and everything in.

On Thu, Oct 17, 2024, 4:44 PM Natalie Lavenstein <nlavenstein@duluthmn.gov> wrote:

Good news. I just spoke with the land use supervisor regarding your screening plan. The purpose of the screening rule is to provide neighbors a buffer from the VDU guests especially in high use areas on a property. Because of that, you do not need to build all the way to the alley or enclose the space. Meaning, you do not need to connect the fences along the garage.

If the screening is not in place by the planning commission meeting on November 6, your application may still be approved with the condition of finishing the screening before the permit is issued.

Let me know if you have questions on this. Thanks!

Natalie Lavenstein | Planner I | **Planning and Development Division** | City of Duluth | 411 W 1st Street Room 160, Duluth, MN 55802 | nlavenstein@duluthmn.gov | 218-730-5326 | she/her/hers



From: Brian Mooers <bmooers39@gmail.com>

Sent: Thursday, October 17, 2024 2:01 PM

To: Natalie Lavenstein <nlavenstein@DuluthMN.gov>

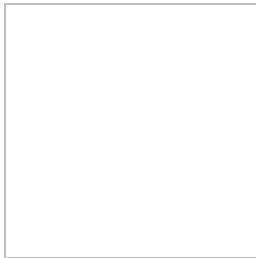
Subject: Re: Your Planning Application (PLIUP-2410-0012)

Ok... sounds good. I just talked to Sam about it on the phone and described the problem with making the fence go all the way to the alley.

On Thu, Oct 17, 2024, 1:54 PM Natalie Lavenstein <nlavenstein@duluthmn.gov> wrote:

Just got your message. Thanks for providing more info. I am heading into a couple meetings this afternoon and will try to get back to you before the end of the day.

Natalie Lavenstein | Planner I | **Planning and Development Division** | City of Duluth | 411 W 1st Street Room 160, Duluth, MN 55802 | nlavenstein@duluthmn.gov | 218-730-5326 | she/her/hers



From: Brian Mooers <bmooers39@gmail.com>
Sent: Thursday, October 17, 2024 1:10 PM
To: Natalie Lavenstein <nlavenstein@DuluthMN.gov>
Subject: Re: Your Planning Application (PLIUP-2410-0012)

If you look at my site plan I provided topography lines on my plans to help illustrate why I am trying to go in front of my garage. I also illustrated very clearly the off street parking dimensions and property lines. I paid a company to draw these plans up as well. I also have a professional fence company ready to install the fence as soon as my funding goes through.

On Thu, Oct 17, 2024, 12:42 PM Brian Mooers <bmooers39@gmail.com> wrote:

During the planning meeting they told us that they would work with us on the screening requirements if there's an obstruction such as off street parking spots. My off street parking is a big retaining wall and it doesn't make a lot of sense to do screening on each side of the off street parking spots.

Also, during the planning meeting he said that if we did not have the screening, that they would work with us about allowing the screening to be done after winter because we are running out of time for construction. I have a construction guy that I am working with that is not sure if he will make it in time before the winter season. I am doing my best to get it done before winter is upon us.

On Thu, Oct 17, 2024, 12:35 PM Natalie Lavenstein <nlavenstein@duluthmn.gov> wrote:
Hi Brian,

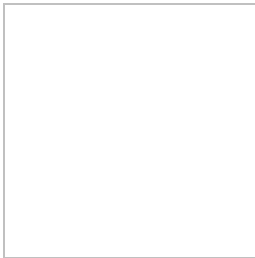
The screening must run the length of the entire rear and side yard while leaving 3ft between the fence and the alley right of way. Additionally, the screening should be installed by the time the permit is issued. Keep in mind, all fences over 4 ft require a zoning permit. You can learn more about that [here](#). There is an option to waive the screening requirement if the adjoining property owners give consent and provide a signed letter.

One of the application requirements is for the permit holder to keep a guest record including name, address, phone number, and vehicle (and trailer) license plate information for all guests. Most permit holders use an Excel spreadsheet or similar record keeping document. Can you specify what you plan to use?

Thanks,

Natalie

Natalie Lavenstein | Planner I | **Planning and Development Division** | City of Duluth | 411 W 1st Street Room 160, Duluth, MN 55802 | nlavenstein@duluthmn.gov | 218-730-5326 | she/her/hers



From: Brian Mooers <bmooers39@gmail.com>

Sent: Wednesday, October 16, 2024 3:56 PM

To: Jenn Moses <jmoses@DuluthMN.gov>

Cc: excnorth78@gmail.com <excnorth78@gmail.com>; Natalie Lavenstein <nlavenstein@DuluthMN.gov>

Subject: Re: Your Planning Application (PLIUP-2410-0012)

Ok. I submitted two site plans by accident. One that includes a fence plan and one that is just a site plan. The one that is just a site plan shows my off street parking with dimensions. I also submitted a screening plan. in the screening plan I have it planned to go across the back of my yard because there is two off street parking obstructions in the way. It actually is more expensive to do it this way but it will create a better experience for my guests and neighbors. It would be very difficult to span the fence all the way to the alley without going into my neighbor's yard.

On Wed, Oct 16, 2024, 3:32 PM Jenn Moses <jmoses@duluthmn.gov> wrote:

Hello,

I'm writing to let you know that Natalie Lavenstein, copied on this email, is the planner assigned to review your application. If it is complete, it will tentatively be placed on the November 6 Planning Commission agenda. Natalie will be in touch if any additional information is needed.

Jenn


Jenn Reed Moses, AICP | Manager | **Planning and Development Division** | City of Duluth
| 411 W 1st Street Room 160, Duluth, MN 55802 | 218-730-5328 | jmoses@duluthmn.gov |
she/her/hers

Find [Zoning information](#) for property within the City of Duluth.

The City of Duluth has implemented a new permitting system. Visit <https://duluthmn.gov/eplace> to submit applications and permits.

Re: Applicant Letter & Sign Notice - PLIUP-2410-0012

From Brian Mooers <bmoosers39@gmail.com>
Date Thu 10/24/2024 7:29 PM
To Natalie Lavenstein <nlavenstein@DuluthMN.gov>

 1 attachment (25 KB)
Outlook-bdmkzsgf.png;

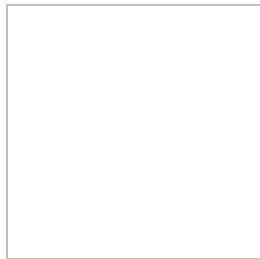
I plan on being the managing agent.

On Thu, Oct 24, 2024, 12:24 PM Natalie Lavenstein <nlavenstein@duluthmn.gov> wrote:

Do you plan to be the managing agent? If not, please provide a name.

Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the City.

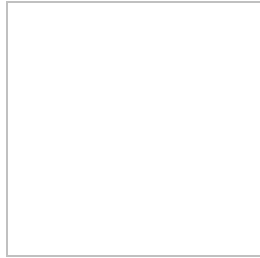
Natalie Lavenstein | Planner I | **Planning and Development Division** | City of Duluth | 411 W
1st Street Room 160, Duluth, MN 55802 | nlavenstein@duluthmn.gov | 218-730-5326 | she/her/hers



From: Natalie Lavenstein <nlavenstein@DuluthMN.gov>
Sent: Wednesday, October 23, 2024 2:06 PM
To: Brian Mooers <bmoosers39@gmail.com>
Subject: Re: Applicant Letter & Sign Notice - PLIUP-2410-0012

Great! Thank you.

Natalie Lavenstein | Planner I | **Planning and Development Division** | City of Duluth | 411 W
1st Street Room 160, Duluth, MN 55802 | nlavenstein@duluthmn.gov | 218-730-5326 | she/her/hers



From: Brian Mooers <bmooers39@gmail.com>
Sent: Wednesday, October 23, 2024 1:31 PM
To: Natalie Lavenstein <nlavenstein@DuluthMN.gov>
Subject: Re: Applicant Letter & Sign Notice - PLIUP-2410-0012

The first sign is a little bit up on a hill off the sidewalk. The second sign is just a little bit back from the alley.

On Wed, Oct 23, 2024, 9:45 AM Natalie Lavenstein <nlavenstein@duluthmn.gov> wrote:

Hi Brian,

Today is the deadline for the sign notice. Please see my email below for more info.

Let me know if you have any questions,

Natalie

Natalie Lavenstein | Planner I | **Planning and Development Division** | City of Duluth | 411 W
1st Street Room 160, Duluth, MN 55802 | nlavenstein@duluthmn.gov | 218-730-5326 |
she/her/hers



From: Natalie Lavenstein <nlavenstein@DuluthMN.gov>
Sent: Friday, October 18, 2024 9:20 AM
To: BMOOERS39@GMAIL.COM <bmooers39@gmail.com>
Subject: Applicant Letter & Sign Notice - PLIUP-2410-0012

Hello,

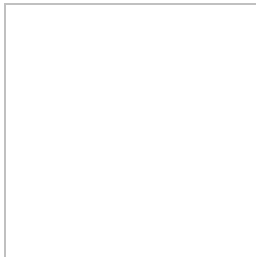
Attached you will find the applicant letter indicating a complete application and your place on the November 6th Planning Commission agenda. I will reach out if I need more information for the staff report.

You will need to post a sign notice on the property at least two weeks before planning commission. You can look at requirements and examples [here](#). Once you post your sign, please email me the date and time it was posted as well as a photo.

Thanks,


Natalie

Natalie Lavenstein | Planner I | **Planning and Development Division** | City of Duluth | 411 W
1st Street Room 160, Duluth, MN 55802 | nlavenstein@duluthmn.gov | 218-730-5326 |
she/her/hers



Re: Questions regarding denial last night

From Brian Mooers <bmoosers39@gmail.com>
Date Fri 11/8/2024 2:06 PM
To Natalie Lavenstein <nlavenstein@DuluthMN.gov>

 1 attachment (25 KB)
Outlook-efezvd2m.png;

Ok thank you.. that certified letter was sent and somebody knocked on the door at my house at about 3:30 p.m. on November 6th while I was at work, which was the same day as the VDU meeting. I was given little to no chance to correct anything without seeing this certified letter. Additionally, I have until November 13th to correct any non-compliance.

This seemingly small decision by the planning committee has gravely affected me, my family, my neighborhood, my livelihood, and my reputation as a lifelong citizen of Duluth mn. I would think, like any other license, that a governing board would work with it's citizens and help them be in compliance and successful. This has been a grueling 3-year process of working towards this property becoming a vacation dwelling unit. I put up the "6 year" \$1800 fee of my hard earned money and I feel I didn't even get a fair due process. I feel I should have maybe received a few corrective steps and a review. It feels like this planning committee is working against its citizens to deny these applications and allow so many other short-term rentals to continue to operate out of compliance. Just my thoughts on this. I will have the appeal in some time next week.

On Fri, Nov 8, 2024, 1:11 PM Natalie Lavenstein <nlavenstein@duluthmn.gov> wrote:
The call was sometime in the morning on October 31st.

Natalie Lavenstein | Planner I | **Planning and Development Division** | City of Duluth | 411 W 1st Street Room 160, Duluth, MN 55802 | nlavenstein@duluthmn.gov | 218-730-5326 | she/her/hers



From: Brian Mooers <bmooers39@gmail.com>
Sent: Friday, November 8, 2024 12:28 PM
To: Natalie Lavenstein <nlavenstein@DuluthMN.gov>
Subject: Re: Questions regarding denial last night

I'm in the process gathering information with a real estate attorney to help me with my appeal. I need to know the approximate date and time that you called me to inform me of the enforcement letter. Thanks.

On Thu, Nov 7, 2024, 11:37 AM Brian Mooers <bmooers39@gmail.com> wrote:

Hello,

I was wondering if I could sit down with you and get some clarification so I can get my accessory home share into compliance. I will be down at City Hall here in the next hour to grab paperwork for an appeal. I will probably stop by the planning office then. Thanks again for all your work with my application.

Sincerely,

Brian Mooers (218-940-4614)

On Thu, Oct 31, 2024, 3:55 PM Natalie Lavenstein <nlavenstein@duluthmn.gov> wrote:

Hi Brian,

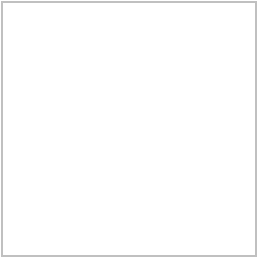
The agenda for the November 6th Planning Commission meeting is published and can be viewed here: [Meeting Agenda \(duluthmn.gov\)](#). Within the agenda you can find the staff review for your application (PLIUP-2410-0012). You are not required to be at the meeting, but it is recommended. If you do attend, you will have the opportunity to speak to Planning Commission.

As I mentioned in our call this morning, staff recommends approval of your application to Planning Commission. We did receive public comment regarding your application, so there will be a public hearing at the meeting.

Thanks,

Natalie


Natalie Lavenstein | Planner I | **Planning and Development Division** | City of Duluth | 411 W 1st Street Room 160, Duluth, MN 55802 | nlavenstein@duluthmn.gov | 218-730-5326 | she/her/hers




DRAFT



Planning & Development Division
Planning & Economic Development Department

 218-730-5580

 planning@duluthmn.gov

Room 160
411 West First Street
Duluth, Minnesota 55802

INTERIM USE PERMIT FOR VACATION DWELLING UNIT

Permit Number: PLIUP-2410-0012

Approval Date:

Permit Holder:

Brian Mooers
809-811 W 4th St
Duluth, MN 55806

Permit Location:

809 W 4th St

Permit Terms:

1. The number of vacation dwelling units issued under this permit is 1.
2. The vacation dwelling unit consists of 2 bedrooms.
3. The total number of persons that may occupy the vacation dwelling unit is 5.
4. The applicant indicated 1 parking spaces will be provided in the rear area.
5. Motorhomes (or pickup-mounted camper) and/or trailers for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) are not allowed on the property.
6. The minimum rental period is 2 nights.
7. The permit holder must maintain the property according to the site plan approved by the permit.
8. The permit holder must maintain all licenses and permits from the City of Duluth and State of Minnesota required for guest occupancy on the property for 1 to 29 days.
9. The interim use permit shall expire upon change in ownership of the property or in six years from the “approval date” listed above, whichever occurs first.
10. If the property for which this permit is granted is sold, conveyed, transferred, or alienated in any way, the permit shall be deemed to be void and of no further force and effect. If the permit holder is a corporation, a partnership, limited liability company, or any legal entity, a change in a controlling interest by the permit holder shall constitute a transfer of the property. Effective immediately, the property shall not be offered for rent as a vacation dwelling unit.
11. Permit holder must keep a guest record including the name, address, phone number, and vehicle license plate information for all guests and must provide a report to the City upon 48 hours’ notice.
12. Permit holder must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24-hours-a-day to any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact’s contact information. The permit holder, Brian Mooers, will act as the managing agent.

www.duluthmn.gov

The City of Duluth is an Equal Opportunity Employer.

DRAFT

13. Permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary, and provide the City with a copy of the letter. The permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.
14. Permit holder must disclose in writing to their guests the following rules and regulations:
 - a. The managing agent or local contact's name, address, and phone number;
 - b. The maximum number of guests allowed at the property;
 - c. The maximum number of vehicles allowed at the property and where they are to be parked;
 - d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
 - e. Applicable sections of City ordinances governing noise, parks, parking and pets.
15. Permit holder must post the permit number on all print, poster or web advertisements;
16. Prior to rental, the building must be inspected and an Operational Permit issued by the Fire Prevention office. Permit holder must maintain the property in conformance with this permit and be granted permit renewals as required by the Fire Department.
17. Prior to rental, the building must be inspected and the appropriate lodging license issued by the State of Minnesota and such licensure must be maintained.
18. Permit holder must apply for and be granted State and local sales tax numbers, including Hotel and Motel Use Sales Tax. Permit holder must make required sales tax payments to State and local governments according to the terms established by each taxing authority.
19. Permit holder agrees that (a) that the permit granted hereunder is a personal right and not a property right and that approval of the permit will not result in the creation of a compensable property right in the premises or in the owner thereof and that the owner of the premises shall not be entitled to compensation related thereto if the premises or property are later acquired by the City through eminent domain; (b) the termination of the interim use as stated in the permit will create no rights to a nonconforming use and no rights to compensation for termination of the use or for the value of any structures of improvements related to the use.
20. By signing and accepting this Permit, permit holder agrees to accept all of the conditions of this Permit and to be bound thereby.

Permit Holder

Manager, Planning and Economic Development

Date

Date

Please note:

Interim Use Permits approved by the City Council shall lapse if the project or activity authorized is not begun within 1 year of the permit date. The building official may extend this period one time for a period of up to 1 year if the property owner presents a written request showing the reasons for the delay was outside the owner's control (UDC Sec. 50-37.1.N).



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

ACTION OF THE CITY OF DULUTH PLANNING COMMISSION

Date: November 8, 2024

Staff Contact: Natalie Lavenstein

Subject Location: 809 W 4th St, Duluth MN 55806

Applicant:

Brian Mooers
809-811 W 4th St
Duluth, MN 55806

Not Sent by U.S. Mail; sent via email to: bmooers39@gmail.com

Planning Commission File Number: PLIUP-2410-0012

Proposal Requested:

The applicant proposes use of a 2-bedroom dwelling in a duplex in a residential district as a vacation rental property.

The above matter came for a public hearing before the City of Duluth Planning Commission on Wednesday, November 6, 2024, notice of said hearing having been given to all interested parties in accordance with Section 50-37.1 of the Duluth Legislative Code. The applicant's proposal was presented to the Commission with a report from Planning and Development staff including any comments received on the proposal. After all parties interested in the matter were given an opportunity to be heard, the Commission made the following findings and conclusions:

Staff Report Findings:

- 1) Applicants' property is located at 809 W 4th St. The dwelling unit contains 2 bedrooms, which allow for a maximum of 5 guests.
- 2) Staff notes that applicant is in current violation of their Accessory Home Share permit (PLAHS2111-001) by renting more than the approved bedroom amount and by not occupying the unit. Applicant is also in violation at 811 W 4th St by using that unit as a vacation dwelling unit without a permit. Applicant has been notified through a City enforcement action that 811 W 4th St must cease operating as a vacation dwelling unit; approval of this interim use permit will allow applicant to come into compliance for 809 W 4th St.
- 3) The proposed minimum rental period will be two nights.
- 4) One parking space will be provided in the rear area.
- 5) The applicant has indicated they will not allow motorhome or trailer parking.
- 6) The site plan does indicate outdoor furniture in the rear yard as an outdoor amenity. The site plan indicates a proposed fence as the dense urban screen. The fence will screen the home and the outdoor amenity in the rear yard.
- 7) Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the City. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed themselves to serve as the managing agent.
- 8) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses

thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.

- 9) Applicant must comply with Vacation Dwelling Unit Regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 10) There are currently 157 licensed vacation dwelling units in the city, with 74 of those in form districts; the remaining 83 are subject to the cap of 100.
- 11) One public comment was received and is attached to the staff report.
- 12) The permit will lapse if no activity takes place within 1 year of approval.

Planning Commission Findings:

At the Planning Commission meeting on November 6, 2024, the Planning Commission had the following findings:

1. Applicant is in violation of the issued Accessory Home Share Permit.
2. Applicant is in violation of long-term rental by renting short-term stays.

Conclusions:

- A. The request is not in harmony with the purposes and intent of the UDC.
- B. The request is consistent with the comprehensive plan.
- C. The request will allow reasonable use of the land.
- D. The request does not impact the health, safety, or welfare of the general public.

Decision:

Resolved that based on the findings and conclusions above, application PLIUP-2410-0012 is denied.

Decided at Duluth, Minnesota, on Wednesday, November 6, 2024.

BY ORDER OF THE LAND USE SUPERVISOR



Jenn Moses, Manager, Planning and Economic Development

NOTICE OF RIGHT TO APPEAL

Any person aggrieved by, or any department of the city affected by, any decision of the Commission may appeal the decision of the Commission to the Duluth City Council pursuant to Section 50-37.1.O.4 of the Duluth Legislative Code. The appeal must be filed with the City Clerk within 10 days of the decision. The appeal should be addressed to the Council and specify the grounds for the appeal. The fee for an appeal is \$475.00. The appeal fee must be tendered when the appeal is filed.



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580

planning@duluthmn.gov

File Number	PLIUP-2410-0012	Contact	Natalie Lavenstein nlavenstein@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit	Planning Commission Date	November 6, 2024	
Deadline for Action	Application Date	October 15, 2024	60 Days	December 14, 2024
	Date Extension Letter Mailed	October 18, 2024	120 Days	February 12, 2025
Location of Subject	809 W 4 th St			
Applicant	Brian Mooers	Contact	NA	
Agent	EXC North LLC	Contact	NA	
Legal Description	PIN: 010-1270-03050			
Site Visit Date	October 29, 2024	Sign Notice Date	October 23, 2024	
Neighbor Letter Date	October 18, 2024	Number of Letters Sent	63	

Proposal

The applicant proposes use of a 2-bedroom dwelling in a duplex as a new vacation rental property. Applicant was on the eligibility list.

Recommended Action: Staff recommends that Planning Commission approve the interim use permit.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the R-1 zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission shall only approve an interim use permit, or approve it with conditions, if it determines that: 1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location; 2. The applicant agrees to sign a development agreement with the city.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Governing Principle #4- Support economic growth sectors

A short-term rental supports the tourism industry and provides a service for visitors.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth’s older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: The subject property, 809 W 4th St, was built in 1908. The existing structure is a duplex (809 and 811 W 4th St). 809 W 4th has a current accessory home share permit.

Review and Discussion Items:

Staff finds that:

- 1) Applicants’ property is located at 809 W 4th St. The dwelling unit contains 2 bedrooms, which allow for a maximum of 6 guests.
- 2) Staff notes that applicant is in current violation of their Accessory Home Share permit (PLAHS2111-001) by renting more than the approved bedroom amount and by not occupying the unit. Applicant is also in violation at 811 W 4th St by using that unit as a vacation dwelling unit without a permit. Applicant has been notified through a City enforcement action that 811 W 4th St must cease operating as a vacation dwelling unit; approval of this interim use permit will allow applicant to come into compliance for 809 W 4th St.
- 3) The proposed minimum rental period will be two nights.
- 4) One parking space will be provided in the rear area.
- 5) The applicant has indicated they will not allow motorhome or trailer parking.
- 6) The site plan does indicate outdoor furniture in the rear yard as an outdoor amenity. The site plan indicates a proposed fence as the dense urban screen. The fence will screen the home and the outdoor amenity in the rear yard.
- 7) Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the City. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed themselves to serve as the managing agent.
- 8) A time limit on this Interim Use Permit (“IUP”) is needed to minimize negative impacts to surrounding residential uses thereby causing damage to the public’s health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 9) Applicant must comply with Vacation Dwelling Unit Regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 10) There are currently 157 licensed vacation dwelling units in the city, with 74 of those in form districts; the remaining 83 are subject to the cap of 100.
- 11) One public comment was received and is attached.
- 12) The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

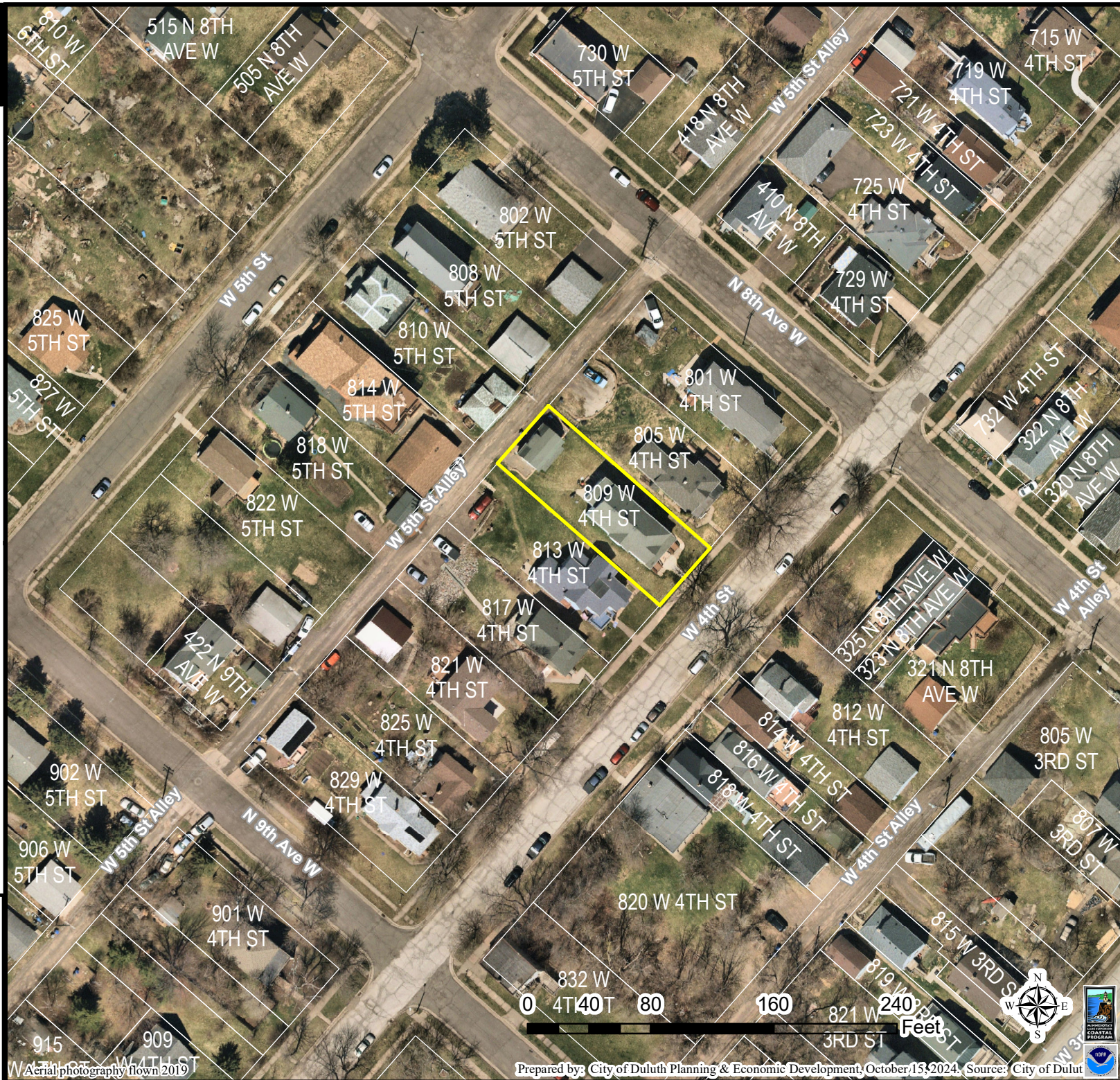
Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 1) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 2) The applicant shall construct, or obtain waivers from the screening requirement, prior to receiving the interim use permit.
- 3) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission review; however, no such administration approval shall constitute a

variance from the provisions of Chapter 50.

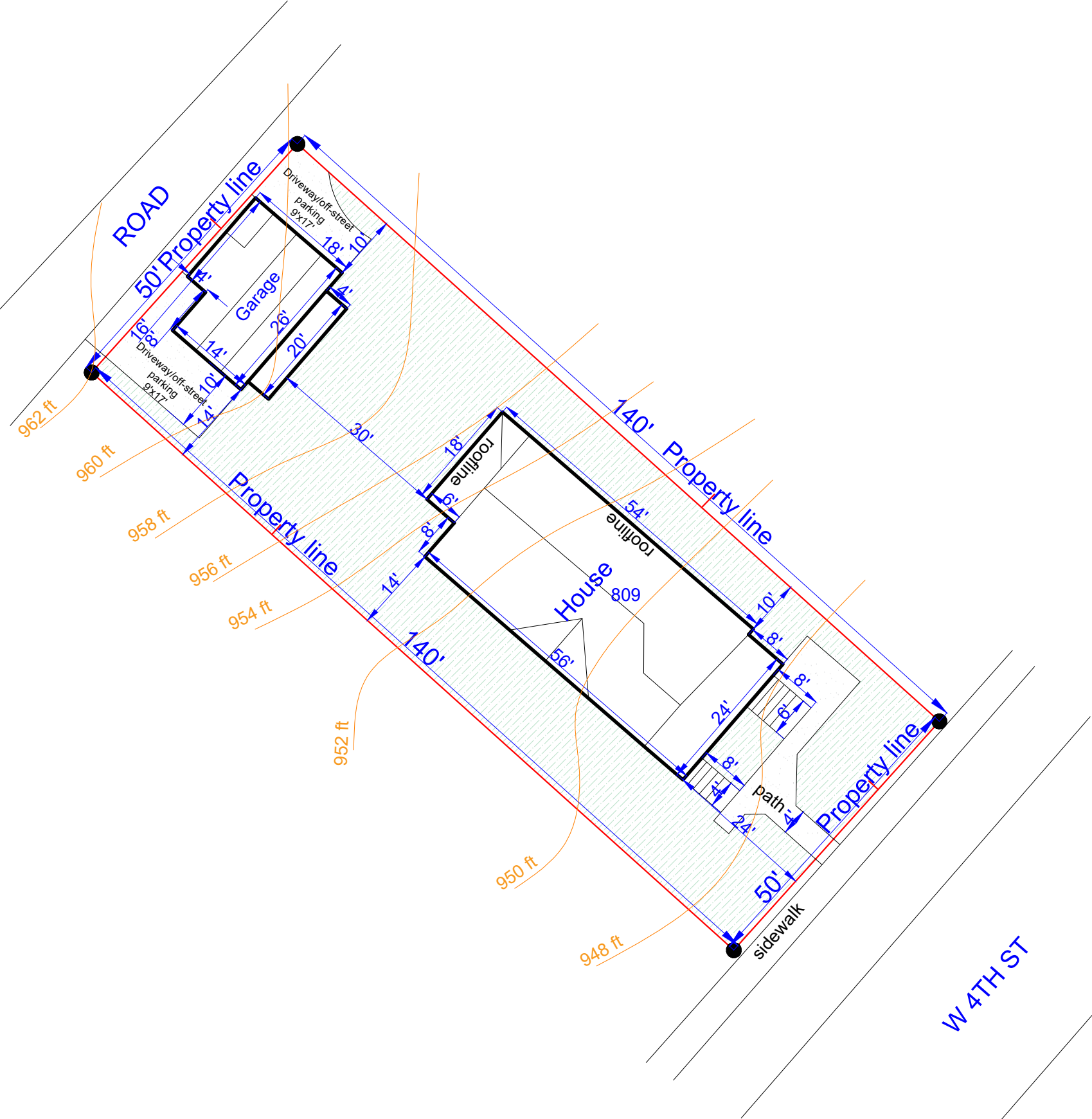
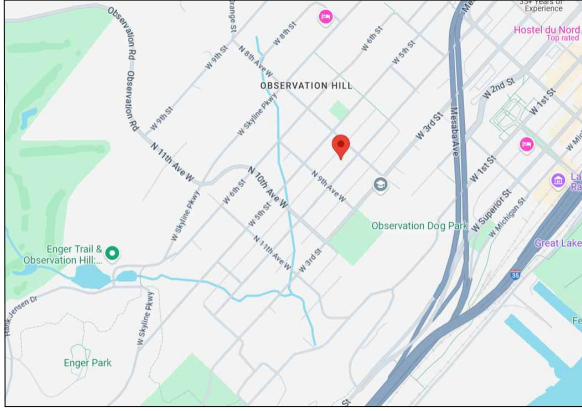


PLIUP-2410-0012
Interim Use Permit for
Vacation Dwelling Unit
809 W 4th St



The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

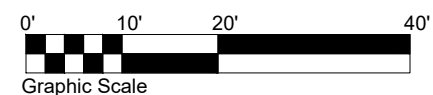
Vicinity Map



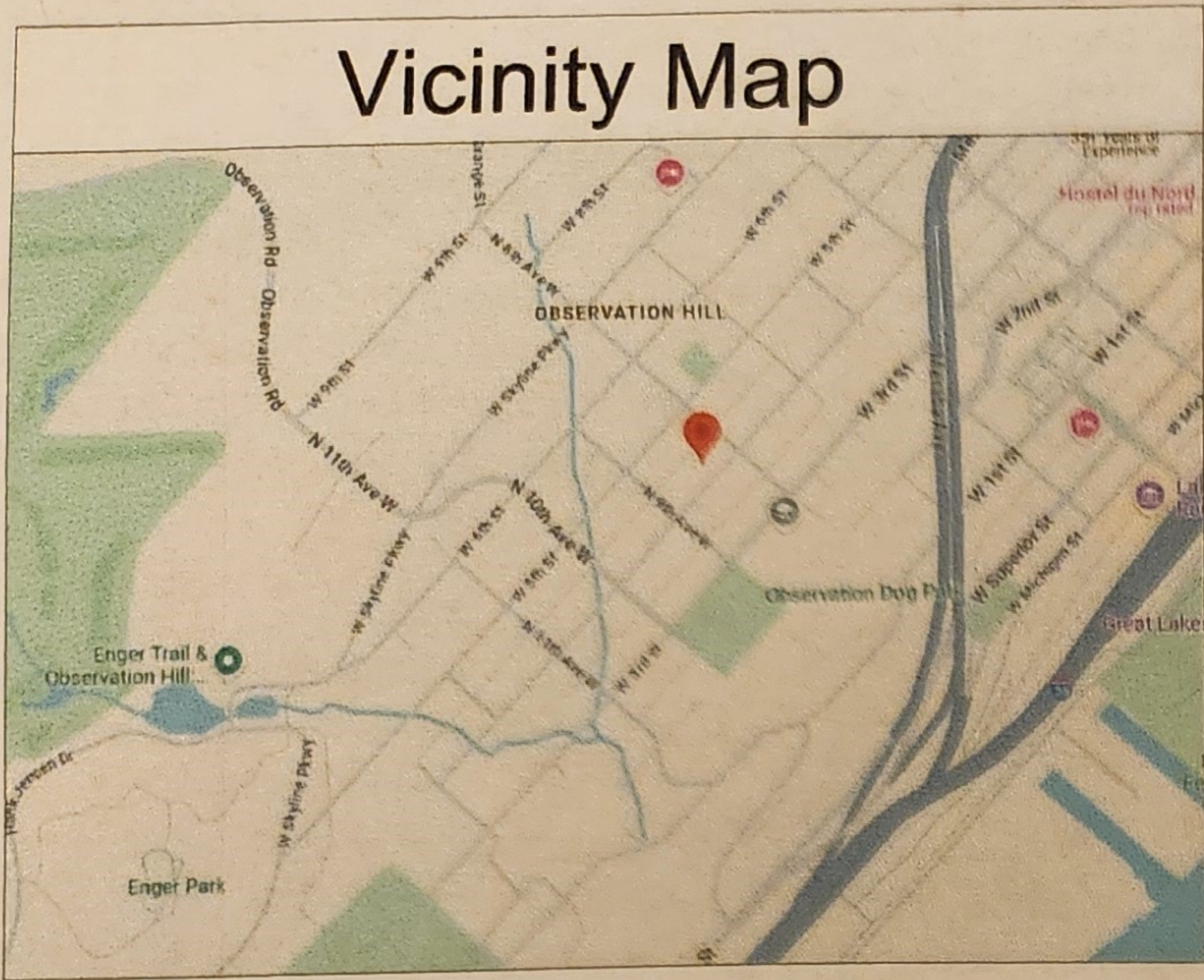
Parcel No. (APN) 010-1270-03050
 Land Use RESIDENTIAL
 MISCELLANEOUS RESIDENTIAL
 Lot Area 6,974 SF (0.16 ACRES)

ADDRESS: 809 W 4TH ST
 DULUTH, MN 55806
 Scale: 1"=20'

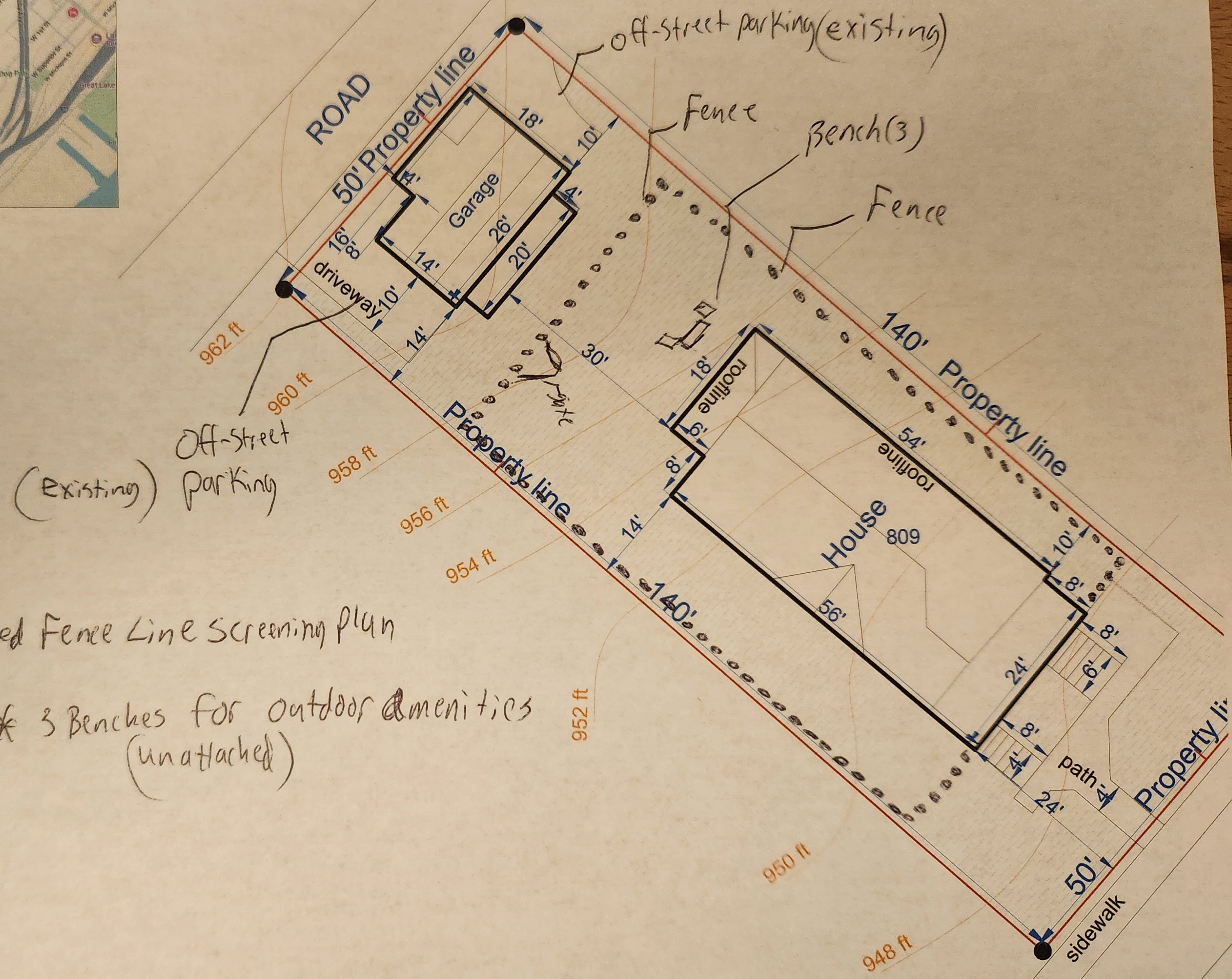
THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE
 This work product represents only generalized locations of features, objects or boundaries and should not be relied upon as being legally authoritative for the precise location of any feature, object or boundary.



Vicinity Map



809 W. 4th St
Duluth, MN, 55806



..... = proposed Fence Line Screening Plan

* 3 Benches for outdoor amenities (unattached)

809 w 4th st permit.

From Aaron Hansen [REDACTED]
Date Wed 10/23/2024 1:20 PM
To Natalie Lavenstein <nlavenstein@DuluthMN.gov>

Hello Natalie, we spoke earlier today on the phone about a permit for a vacation dwelling. It's my understanding he's been running an air no out of that address for some time. I am attaching a link to the airbnb site which shows the apartment building in question.

<https://www.airbnb.com/rooms/617400842447789386?viralityEntryPoint=1&s=76>



RE: Resolutions for Appeal of PLIUP-2410-0012

From Amanda Mangan <amangan@DuluthMN.gov>

Date Fri 11/22/2024 9:54 AM

To Jason Mozol <jmozol@DuluthMN.gov>; Nicholas W. Anderson <nwanderson@DuluthMN.gov>

Cc Ben VanTassel <bvantassel@DuluthMN.gov>; Jenn Moses <jmoses@DuluthMN.gov>; Natalie Lavenstein <nlavenstein@DuluthMN.gov>

Thanks, Jason. The attorney's office will review and provide edits and comments.

At this time, I ask that Planning also compile the record that will be attached to these resolutions. Here's my list, but I'd be opening to discussing additional items:

1. Appeal letter
2. Application
3. Staff Report
4. Notice of Decision/Denial
5. Enforcement Letter (and evidence of certified mailing)
6. Accessory Home Share Permit
7. Planning's communication with the Applicant
8. AirBnB Listings – Before the PC meeting
9. Current Air BnB Listing
10. Unapproved minutes of the PC meeting
11. Recording of the PC meeting
12. Long-term rental license
13. Evidence of whatever the \$1,800 payment is that the Applicant referenced already being paid.
14. A proposed version of the VDU permit and conditions that would be issued, including the time limit and "development agreement" terms that the UDC requires.

Thanks!
Amanda

Amanda M. Mangan | Assistant City Attorney | **City of Duluth – City Attorney's Office** | 411 W First Street, Room 440, Duluth, MN 55802 | 218-730-5271 | amangan@DuluthMN.gov

From: Jason Mozol <jmozol@DuluthMN.gov>

Sent: Friday, November 22, 2024 9:34 AM

To: Amanda Mangan <amangan@DuluthMN.gov>; Nicholas W. Anderson <nwanderson@DuluthMN.gov>

Cc: Ben VanTassel <bvantassel@DuluthMN.gov>; Jenn Moses <jmoses@DuluthMN.gov>; Natalie Lavenstein <nlavenstein@DuluthMN.gov>

Subject: Resolutions for Appeal of PLIUP-2410-0012

Hi all,

Attached are the competing resolutions for PLIUP-2410-0012. Please let me know if you have any comments or edits.

Thanks,

Jason Mozol | Planner I | **City of Duluth** | 411 West First Street, City Hall Rm 160, Duluth, MN 55802 | 218-730-5331 | jmozol@duluthmn.gov

Find [Zoning information](#) for property within the City of Duluth.

The City of Duluth has implemented a new permitting system. Visit <https://duluthmn.gov/eplace> to submit applications and permits.



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

October 29, 2024

SENT VIA USPS

Brian Mooers
809-811 W 4th St
Duluth MN 55806

This letter is in regards to zoning violations at 809-811 West 4th St, Duluth MN 55806.

- 809 W 4th St is in violation of Accessory Home Share permit, UDC 50-20.5.G. Two bedrooms are being rented out.
- 809 W 4th St is in violation of Accessory Home Share permit, UDC 50-20.5.G. Unit is advertised as entire living space and being used as a vacation dwelling unit. Owner is not occupying the unit.
- 811 W 4th St is in violation of Vacation Dwelling Unit, UDC 50-20.3.U. Operating a vacation dwelling unit without a permit.

Zoning regulations can be found at <https://duluthmn.gov/planning-development/>.

You must correct this violation by November 13, 2024, to avoid future citations. To correct this action:

- In 809 W 4th St, owner must limit the accessory home share rental to one bedroom.
- In 809 W 4th St, owner must occupy the unit and ensure all common spaces are shared between owner and guests.
- In 811 W 4th St, owner must immediately stop all short-term rental use.

Contact me at jmozol@duluthmn.gov or 218-730-5331 with any questions.

Sincerely,

Jason Mozol
Planner I

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Brian Mooers
809-811 W 4th St
Duluth MN 55806



9590 9402 7654 2122 9581 55

2. Article Number (Transfer from service label)

7022 1670 0001 3098 7609

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Brian Mooers* Agent Addressee

B. Received by (Printed Name)

Brian Mooers

C. Date of Delivery

11-7-24

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Insured Mail

Insured Mail Restricted Delivery (over \$500)



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

FINAL ORDER

November 27, 2024

SENT VIA USPS

Brian Mooers
809-811 W 4th St
Duluth MN 55806

You are receiving this letter for failing to correct zoning violations at 809-811 West 4th St. The zoning violations are: 809 W 4th St is in violation of Accessory Home Share permit, UDC 50-20.5.G. Two bedrooms are being rented out. 809 W 4th St is in violation of Accessory Home Share permit, UDC 50-20.5.G. Unit is advertised as entire living space and being used as a vacation dwelling unit. Owner is not occupying the unit. 811 W 4th St is operating a vacation dwelling unit without a permit. A warning letter was mailed on 10/29/2024 requiring that this be corrected prior to 11/13/2024.

If not corrected immediately, further actions could include issuance of administrative citations pursuant to Chapter 12 of the City Code.

Contact me at jmozol@duluthmn.gov or 218-730-5331 with any questions.

Sincerely,

Jason Mozol
Planner I