



Planning & Development Division
Planning & Economic Development Department

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File Number	PL 24-043		Contact	Jason Mozol, jmozol@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit		Planning Commission Date		May 14, 2024
Deadline for Action	Application Date		March 20, 2024	60 Days	May 19, 2024
	Date Extension Letter Mailed		April 19, 2024	120 Days	July 18, 2024
Location of Subject		103A E Superior St			
Applicant	Eric Faust		Contact		
Agent			Contact		
Legal Description		010-0910-00180			
Site Visit Date		April 25, 2024	Sign Notice Date		April 23, 2024
Neighbor Letter Date		April 19, 2024	Number of Letters Sent		49

Proposal

The applicant proposes use of 1-bedroom, apartment in a Form district as a vacation rental property.

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

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	F-7	Downtown Shopping	Central Business Primary
North	F-8	Downtown Mix	Central Business Primary
South	F-7	Downtown Shopping	Central Business Primary
East	F-7	Downtown Shopping	Central Business Primary
West	F-7	Downtown Shopping	Central Business Primary

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the F-7 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 – Central Business Primary-

Encompasses a broad range of uses and intensities: Governmental campus, significant retail, entertainment and lodging, opportunities for high density housing, central plaza, public/ open space and public parking facilities

History: The subject property, 103A E Superior St, was built in 1905. The existing structure is two stories with retail at street level and office/residential units above.

Review and Discussion Items:

Staff finds that:

- 1) Applicants' property is located at 103A E Superior St. One apartment unit will be rented. There is 1 bedroom, which allow for a maximum of 3 guests.
- 2) The minimum rental period will be one night.
- 3) One parking space will be provided in the rear of the building.
- 4) The applicant has indicated they will not allow motorhome or trailer parking.
- 5) The site plan does not indicate any outdoor amenities.
- 6) 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 John Williams to serve as the managing agent.
- 7) 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.
- 8) 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").
- 9) 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 90.
- 10) No City, public or agency comments were received.
- 11) 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) 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.



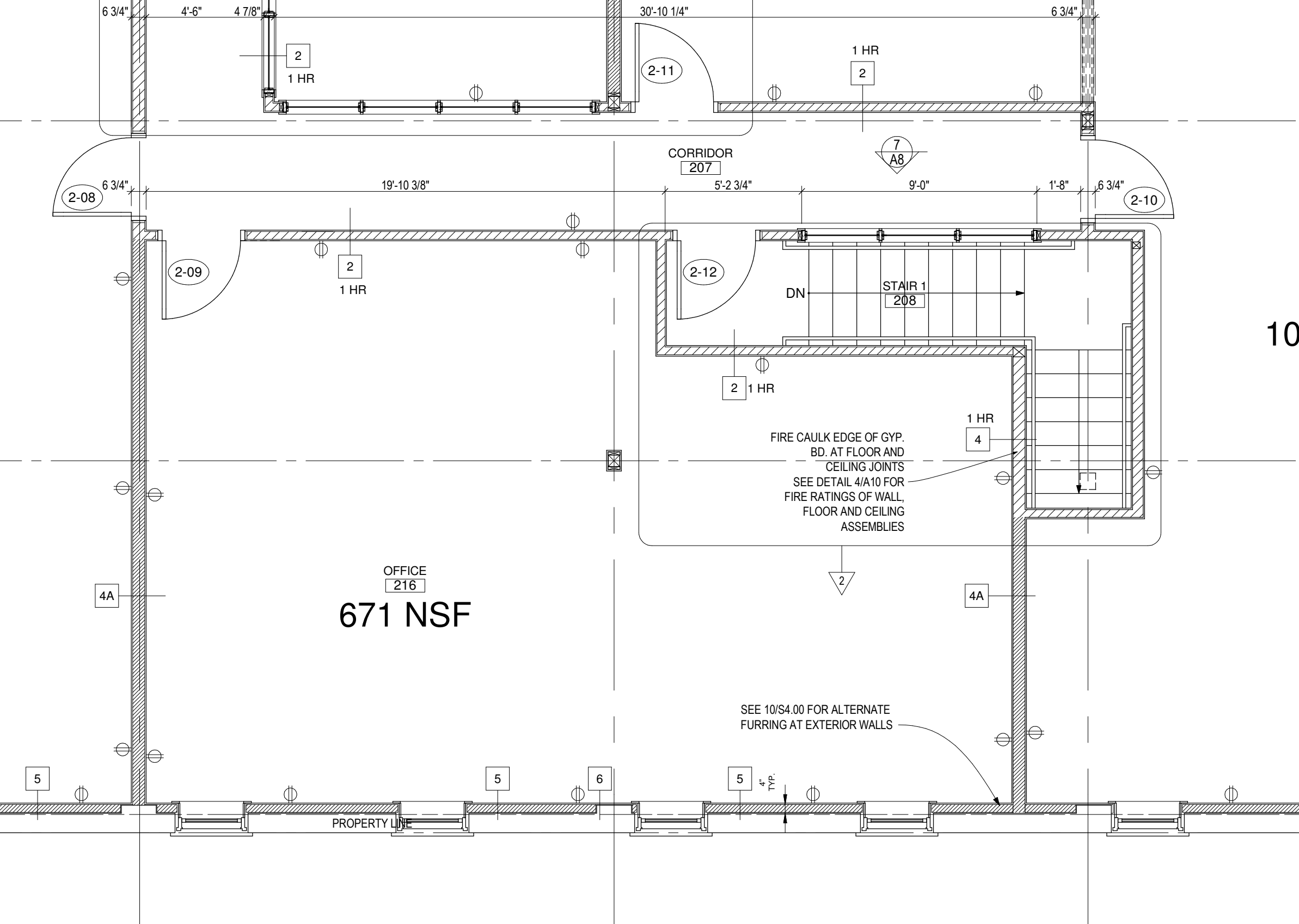
PL24-043
Interim Use Permit for VDU
103B E Superior St



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Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, October 23, 2023. Source: City of Duluth



6 3/4"

4'-6"

4 7/8"

2
1 HR

30'-10 1/4"

2-11

1 HR
2

6 3/4"

2-08

6 3/4"

19'-10 3/8"

CORRIDOR
207

5'-2 3/4"

7
A8

9'-0"

1'-8"

6 3/4"

2-10

2-09

2
1 HR

2-12

DN

STAIR 1
208

2
1 HR

1 HR
4

FIRE CAULK EDGE OF GYP.
BD. AT FLOOR AND
CEILING JOINTS
SEE DETAIL 4/A10 FOR
FIRE RATINGS OF WALL,
FLOOR AND CEILING
ASSEMBLIES

2

4A

OFFICE
216

671 NSF

4A

SEE 10/S4.00 FOR ALTERNATE
FURRING AT EXTERIOR WALLS

5

5

6

5

4" TYP.

PROPERTY LINE