



CITY OF DULUTH

Community Planning Division

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Phone: 218/730.5580 Fax: 218/723-3559

File Number	PL17-097		Contact	Kate Van Daele kvandaele@duluthmn.gov	
Type	Interim Use Permit		Planning Commission Date		August 8, 2017
Deadline for Action	Application Date		June 27, 2017	60 Days	August 26, 2017
	Date Extension Letter Mailed		June 30, 2017	120 Days	October 25, 2017
Location of Subject		8721 West Skyline Parkway			
Applicant	Lisa Dupuis		Contact		
Agent			Contact		
Legal Description		LOT: 0005 BLOCK:001			
Site Visit Date	July 22, 2017		Sign Notice Date		July 25, 2017
Neighbor Letter Date	July 25, 2017		Number of Letters Sent		7 Letters

Proposal

Applicant proposes a vacation dwelling unit for their property at 8721 W. Skyline, requiring an Interim Use Permit. A vacation dwelling unit allows for periods of occupancy of 2 to 29 days, with a minimum stay of two consecutive nights.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Single Family Home	Mixed - Use Neighborhood
North	RR-1	Undeveloped	Rural Residential I
South	MU-N	Undeveloped	Mixed - Use Neighborhood
East	MU-N	Undeveloped	Mixed - Use Neighborhood
West	MU-N	Undeveloped	Mixed - Use Neighborhood

Summary of Code Requirements

UDC Section 50-19.8. Permitted Land Use Table. A Vacation Dwelling Unit is an Interim Use in an R-1 District.

UDC Section 50-37.10. B.... Council shall make, a decision to adopt, adopt with modifications or deny the application based on the criteria in subsection C below. The...Council may impose appropriate conditions and safeguards, including but not limited to financial security pursuant to Section 50-37.10.1. P, a development agreement regarding the design, construction, and operation of the special use, to protect the Comprehensive Land Use Plan, to conserve and protect property and property values in the neighborhood and to ensure that all conditions of the special use permit will continue to meet.

UDC Section 50-37.10.E....the Council 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 or to allow the city time to develop a regulation addressing the potential longer term impacts of the requested use in that location, (2) The applicant agrees to sign a development agreement with the city confirming that (a) approval of the permit will not result in increased costs to the city if the property is later acquired by the city through eminent domain, (b) the use will be terminated at the applicant's expense on the date(s) stated in the permit, (c) the termination of the Interim Use Permit 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, and (d) the applicant agrees to all conditions

imposed by the city. No Interim Use Permit shall be issued until a development agreement confirming these points is executed.

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

Governing Principle #8 – Encourage mix of activities, uses and densities

Future Land Use – Traditional Neighborhood

Current History: The applicant built the home in 2011. In July of 2016, the Life Safety Division sent the applicant an enforcement letter in regards to renting the without an inspection or license. Later that year, the applicant acquired a rental license.

Review and Discussion Items

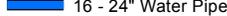
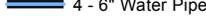
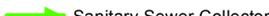
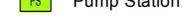
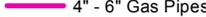
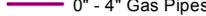
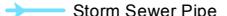
- 1) The applicant's property is located on 8721 West Skyline Parkway. The dwelling unit has three bedrooms, which would allow for a maximum of seven people. The home is 1,714 square feet and was built in 2011.
- 2) Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has the 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 agent of this property is Lisa Dupuis who resides at 5670 N. Cloquet Rd, Duluth, MN 55810.
- 3) Two parking spaces are required. The property includes six paved parking spaces between the house and the garage.
- 4) The site plan indicates natural screening throughout the property. A wooded area surrounds the north, east and west sides of the property that provide dense screening. The useable exterior space has been buffered from adjoining properties in accordance with the UDC requirements.
- 5) A time limit on this Interim Use Permit is needed 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 that Interim Use Permit's shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 6) Applicants has obtained a Duluth Tourism Tax Permit, and State tax I.D. An inspection of the home by the State Health Inspector and Fire Marshall require the applicants to install an egress window in the bedroom before granting a permit. The applicants have also submitted their hotel/motel license and are awaiting a response.
- 7) Applicant must comply with Vacation Dwelling Unit Regulations (included with staff report), including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Pets, and Noise").
- 8) No public comments were received regarding this zoning application. Construction Services commented that the applicant needs to apply for a change of use for the home to comply with building codes.

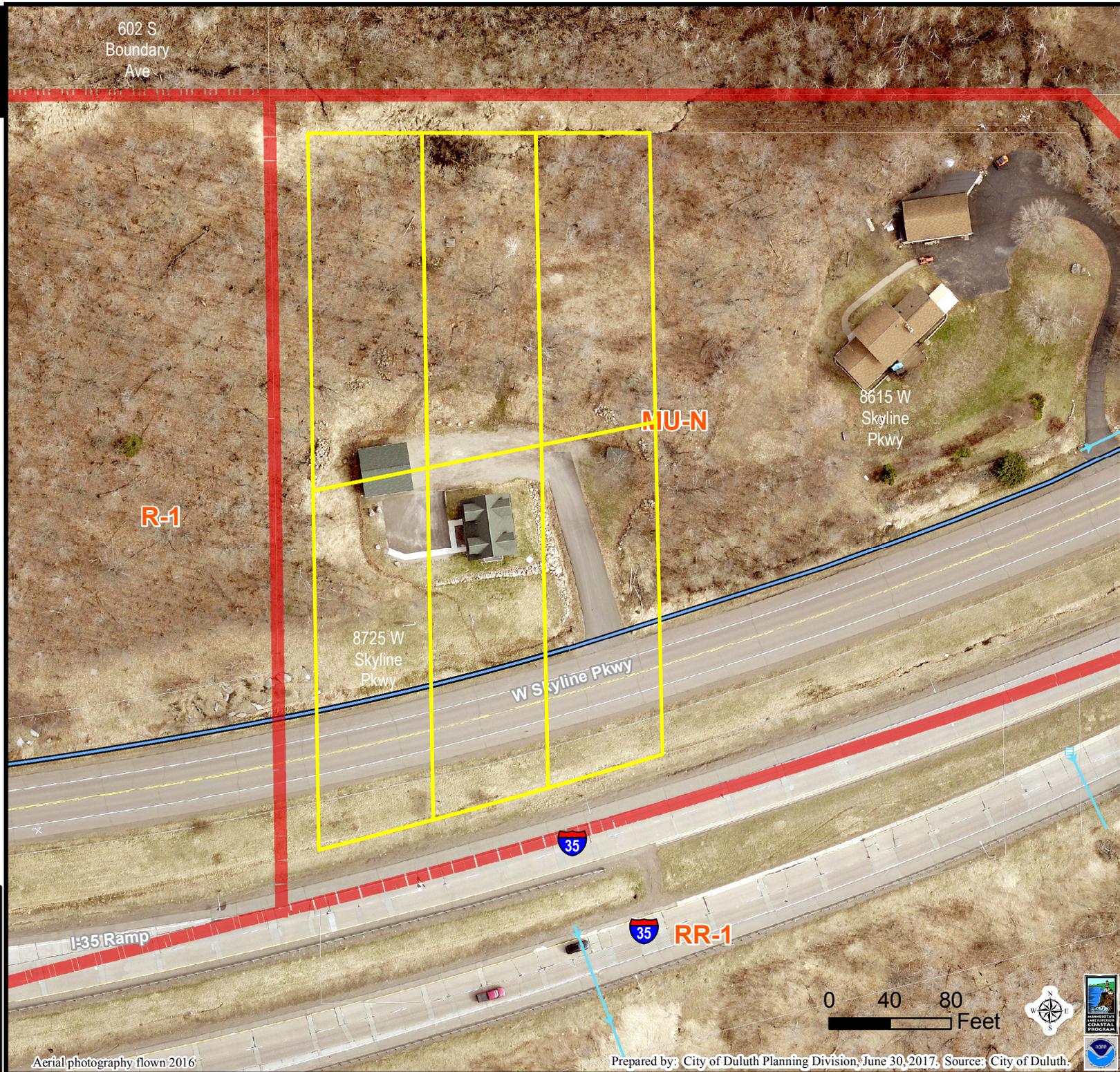
Staff Recommendation

Based on the above findings, staff recommends that Planning Commission recommend approval subject to the following conditions:

- 1) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit documents and provide evidence of compliance, which will be included in the resolution.
- 2) The applicant must disclose to all guests, in writing, that quiet hours shall be observed between the hours of 10p.m. and 8a.m.
- 3) Trash burning on the property is prohibited.
- 4) Prior to issuance of the permit, the applicant shall apply to St. Louis County to merge the existing six parcels into one.
- 5) The applicant needs to apply for a change of use of their home to be in compliance with building code requirements.

Legend

-  Bike
-  Multi-Use - Paved
-  Mountain Biking and X-Country Skiing
-  Climbing
-  Trout Stream (GPS)
-  Other Stream (GPS)
- Zoning Boundaries**
-  Zoning Boundaries
- Water Distribution System**
-  30 - 60" Water Pipe
-  16 - 24" Water Pipe
-  4 - 6" Water Pipe
- Sanitary Sewer Collection System**
-  Sanitary Sewer Collector
-  Sanitary Sewer Interceptor
-  Sanitary Sewer Forced Main
-  Storage Basin
-  Pump Station
- Gas Distribution Main**
-  8" - 16" Gas Pipes
-  4" - 6" Gas Pipes
-  0" - 4" Gas Pipes
- Storm Sewer Collection System**
-  Storm Sewer Pipe
-  Storm Sewer Catch Basin
-  Wetlands (NRR1)



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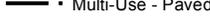
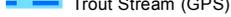
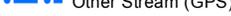




City Planning

PL17-097
8721 West Skyline Pkwy

Legend

-  Bike
-  Multi-Use - Paved
-  Mountain Biking and X-Country Skiing
-  Climbing
-  Trout Stream (GPS)
-  Other Stream (GPS)
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Aerial photography flown 2016

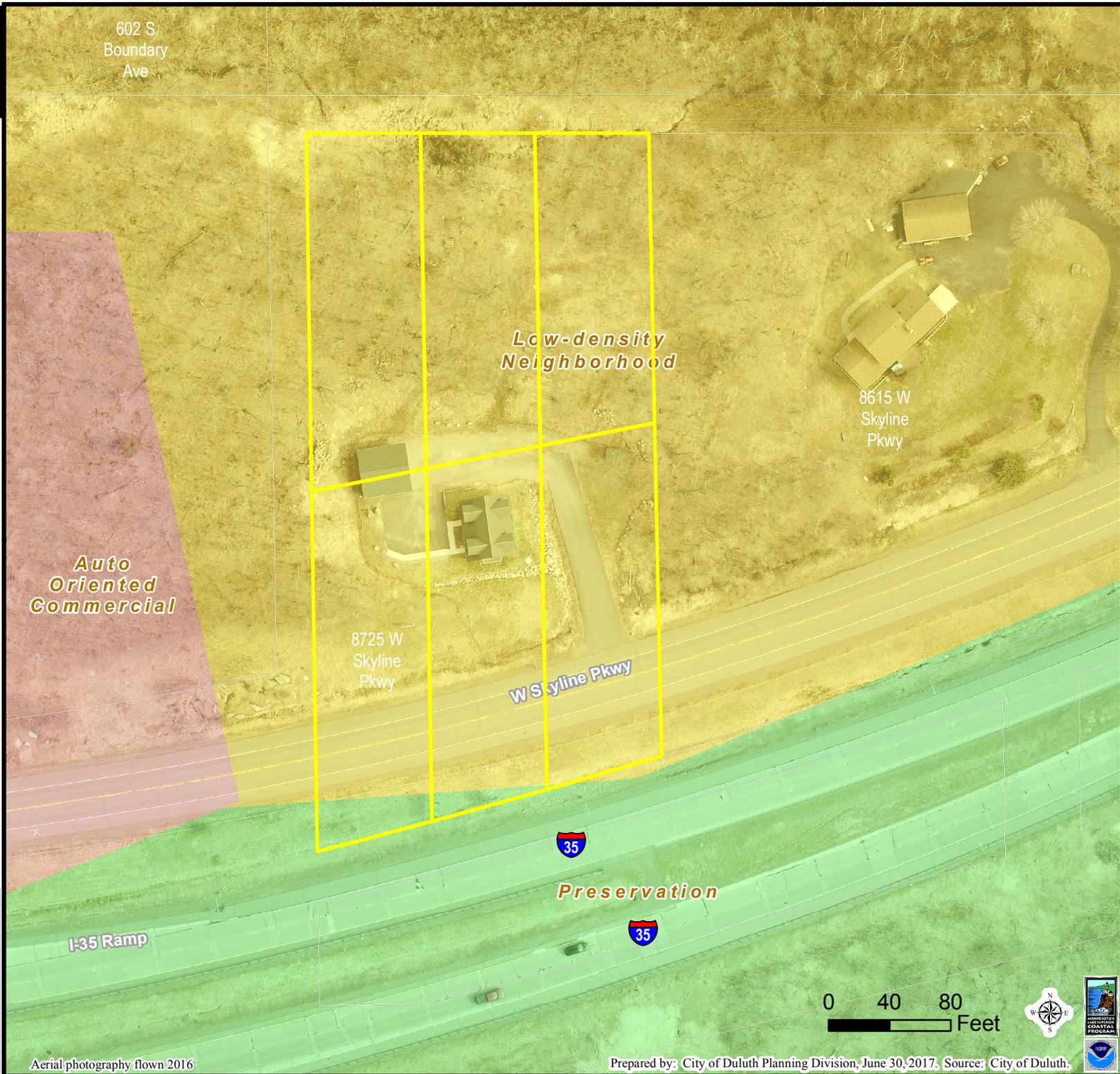


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Future Land Use

-  Preservation
-  Recreation
-  Rural Residential
-  Low-density Neighborhood
-  Traditional Neighborhood
-  Urban Residential
-  Neighborhood Commercial
-  Neighborhood Mixed Use
-  General Mixed Use
-  Central Business Secondary
-  Central Business Primary
-  Auto Oriented Commercial
-  Large-scale Commercial
-  Business Park
-  Tourism/Entertainment District
-  Medical District
-  Institutional
-  Commercial Waterfront
-  Industrial Waterfront
-  Light Industrial
-  General Industrial
-  Transportation and Utilities



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225.0000

25.0000' REAR SETBACK

WOODS

PROPERTY LINE (TYP) CAPPED REBAR (TYP)

15.0000' RES SIDE SETBACK

NON RESIDENTIAL SIDE SETBACK NONE REQUIRED

Trees, Trees

city/county land

WOODS

346.2804'

241.2200'

286.4714'

Garage

NOT PAVED

BUILDING

PAVED

PAVED PARKING 6 SPACES
45x42
9x17
9x17
9x17
9x17
9x17

23.0000' FRONT SETBACK

104.4200'

15.0000'

231.9826'

13.7500'
36.0000'

141.0000'

23.5000'

31.6478'

GRAVEL SHOULDER
PAVED ROADWAY

SKYLINE DRIVE

1 inch = 53.3 feet

SITE PLAN

LOCATIONS AND FIRE ACCESS

