



**Planning & Development Division**  
Planning & Economic Development Department

Room 160  
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Duluth, Minnesota 55802



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<b>File Number</b>	PL 23-006	<b>Contact</b>	Chris Lee, clee@duluthmn.gov	
<b>Type</b>	Renewal Interim Use Permit– Accessory Vacation Dwelling Unit	<b>Planning Commission Date</b>		March 14, 2023
<b>Deadline for Action</b>	<b>Application Date</b>	February 8, 2023	<b>60 Days</b>	April 9, 2023
	<b>Date Extension Letter Mailed</b>	February 17, 2023	<b>120 Days</b>	June 8, 2023
<b>Location of Subject</b>		2810 W Skyline Parkway		
<b>Applicant</b>	Mike Kokotovich	<b>Contact</b>		
<b>Agent</b>		<b>Contact</b>		
<b>Legal Description</b>		Parcel ID 010-3780-01605		
<b>Site Visit Date</b>		<b>Sign Notice Date</b>	February 28, 2023	
<b>Neighbor Letter Date</b>		<b>Number of Letters Sent</b>	30	

**Proposal**

Applicant proposes to use their home as a vacation dwelling unit. A vacation dwelling unit allows for periods of occupancy of 2 to 29 days, with a minimum stay of two consecutive nights. This is a renewal of permit PL 17-035.

Staff is recommending Planning Commission recommend approval.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-1	Single Family Residential	Traditional Residential
<b>North</b>	R-1	Single Family Residential	Traditional Residential
<b>South</b>	R-1	Single Family Residential	Traditional Residential
<b>East</b>	R-1	Single Family Residential	Traditional Residential
<b>West</b>	R-1	Single Family Residential	Traditional Residential

**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 #8 - Encourage mix of activities, uses, and densities. A short-term rental allows property owners to generate income and provides a service for tourists.

Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages

Future Land Use – Traditional Neighborhood: Characterized by a grid or connected street pattern, houses orientated 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 and neighborhood extensions, and new traditional neighborhood areas.

**Current History:** The structure was built in 2007 and contains 1,620 square feet with 3 bedrooms and 2.5 bathrooms. This is a renewal of PL17-035 issued in 2017.

**Review and Discussion Items:**

Staff finds that:

- 1) The applicant's property is located on 2810 West Skyline Parkway. The dwelling unit has one bedroom, which would allow for a maximum of three people. The space of this unit is less than 800 square feet which meets the accessory dwelling unit standards, and is located on the lowest level of the home.
- 2) One off-street parking space is required for this unit. The applicant will provide one off-street parking spot located in the rear yard with access off the alley.
- 3) 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 applicants have listed themselves to serve as the managing agent.

There have been no documented violations or enforcement actions with the existing Interim Use Permit

- 4) The site plan submitted indicates that there is screening on the property surrounding the outdoor amenities.
- 5) 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.
- 6) Applicant will need to apply for all relevant permits and licenses required for a Vacation Dwelling Unit.
- 7) Applicant must comply with Vacation Regulations (included with staff report), including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 8) No public City, or agency comments were received.

**Staff Recommendation:**

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

- 1) The Interim Use Permit shall not be effective until the applicant has received all required licenses and permits for operation.
- 2) The permit shall lapse if no activity is taken within one year of approval.
- 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; however, no such administration approval shall constitute a variance from the provisions of Chapter 50

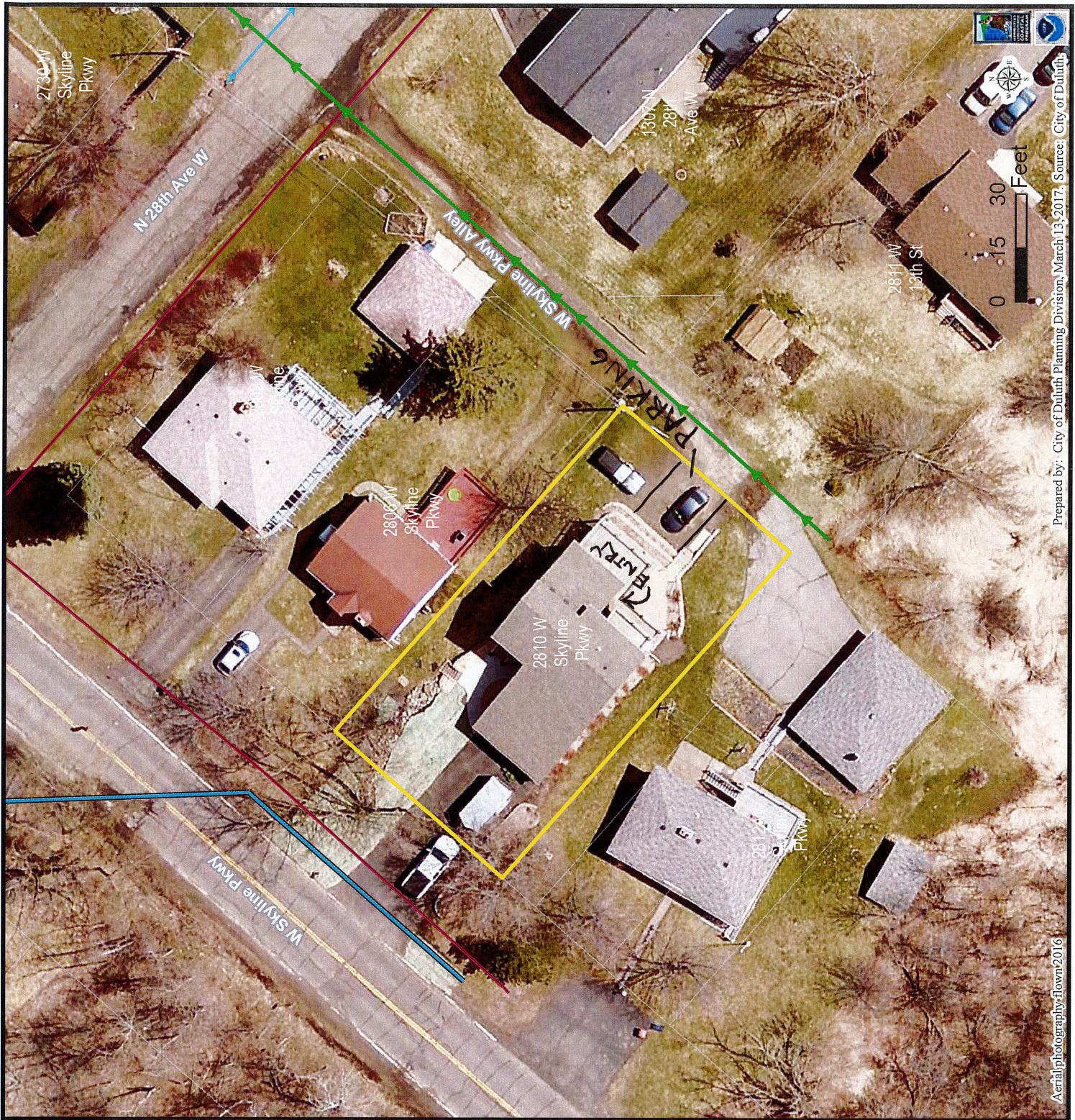


PL23-027  
IUP Renewal  
2810 W Skyline Pkwy

**Legend**  
Zoning Boundaries

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.





## City Planning

Interim Use Permit  
2810 West Skyline Pkwy

Legend	
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 (NRRI)
	Vacated ROW

AS DETAILED IN THE ORIGINAL APPLICATION, THE LOW LEVEL OF 3 IS THE ADU. THIS APPLICATION IS FOR THE ADU THERE IS A SEPARATE ENTRY, PARKING, KITCHEN AND IS SEPARATED FROM THE MAIN UNIT.

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Aerial photography flown 2016

Prepared by: City of Duluth Planning Division, March 13, 2017. Source: City of Duluth.

## Vacation Dwelling Unit Worksheet

1. 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?** 2 nights

2. 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?** 1 **What will be your maximum occupancy?** 3

3. 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.

**How many off-street parking spaces will your unit provide?** 1

4. 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? If so, where?** No

5. 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 contact, property use rules, taxation, and interim use permit violations procedures.

6. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbecue grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper.

7. The interim use permit shall expire upon change in 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.

8. Permit holder must keep a guest record including the 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. **Please explain how and where you will**

keep your guest record (log book, excel spreadsheet, etc):

GUESTS ARE REQUIRED TO SUBMIT THIS THROUGH MY PROPERTY MANAGEMENT SOFTWARE. DATA CAN/WILL BE EXPORTED UPON REQUEST.

9. 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.

Please provide the name and contact information for your local contact:

I AM THE LOCAL CONTACT, 763-229-5442

MJKOKOTOVICH@GMAIL.COM

10. 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, 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;

Please state where and how this information will be provided to your guests:

THIS INFORMATION IS IN A WELCOME BINDER KEPT ON SITE.

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11. Permit holder must post their permit number on all print, poster or web advertisements. **Do you agree to include the permit number on all advertisements?** YES

12. **Prior to rental**, 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; 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 contact's contact information.