



Planning & Development Division
Planning & Economic Development Department

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File Number	PL 23-055	Contact	Chris Lee, clee@duluthmn.gov	
Type	Interim Use Permit– Vacation Dwelling Unit-Renewal	Planning Commission Date		May 9, 2023
Deadline for Action	Application Date	March 27, 2023	60 Days	May 26, 2023
	Date Extension Letter Mailed	April 14, 2023	120 Days	July 25, 2023
Location of Subject		139 Howard Gnesen Rd		
Applicant	Douglas McCorison	Contact		
Agent		Contact		
Legal Description		010-3470-01010		
Site Visit Date		April 26, 2023	Sign Notice Date	April 25, 2023
Neighbor Letter Date		April 14, 2023	Number of Letters Sent	15

Proposal

Applicant is proposing a renewal interim use permit (original application was PL 17-015) for a vacation dwelling unit. The permit would allow for a 3-bedroom house with a maximum of 7 occupants.

Staff is recommending Planning Commission approve with conditions.

	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 #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

S9: Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth. The proposed IUP in this location will enhance the level of activity in the downtown, and increase opportunities for additional commerce.

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.

Current History: The subject property, 139 Howard Gnesen Road, had an approved interim use permit in 2017, which expires in 2023. There are no known reports of violations to the permit.

Review and Discussion Items:

- 1) Applicant's property is located at 139 Howard Gnesen Road. The proposed vacation dwelling unit contains 3 bedrooms, which would allow for a maximum of 7 guests.
- 2) Applicant is proposing a renewal interim use permit (original application was PL 17-015) for a vacation dwelling unit. The property is under the same ownership and there are no changes to the occupancy number and no exterior amenities have been added. The site plan shows a fire ring and deck as amenities. There is existing screening/buffering consisting of thick vegetation on all sides of the property,
- 3) The applicant is proposing 2 off-street parking spaces provided on the existing driveway.
- 4) 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.
- 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 apply for all relevant permits and licenses and these are contingent upon approval of the Interim Use Permit 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 approve the interim use permit subject to the following:

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



PL 23-055
Interim Use Permit Renewal
139 Howard Gnesen Rd

Legend

- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains**
 - CITY OF DULUTH
 - WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station
- Storm Sewer Mains**
 - Storm Sewer Pipe
 - Storm Sewer Catch Basin
- 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.



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WIDLE ROAD

Amesbury
Field, 00100
H. P. 5.68 M

NORTH'S ACRE OUT LOT 5

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ENDS
TYPES

Rental Area

A hand-drawn sketch of a fire ring. It consists of a circle with a crosshair inside. A dashed line extends from the center of the circle towards the bottom left. The text "Fire Ring" is written to the right of the circle.

Walking

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