



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 22-039	Contact	Chris Lee, clee@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit	Planning Commission Date		April 12, 2022
Deadline for Action	Application Date	March 9, 2022	60 Days	May 8, 2022
	Date Extension Letter Mailed	March 18, 2022	120 Days	July 7, 2022
Location of Subject		120 Aspen Lane		
Applicant	Predictable LLC	Contact	Andy Goldfine	
Agent	N/A	Contact	N/A	
Legal Description		PID # 010-4450-01350		
Site Visit Date		March 30, 2022	Sign Notice Date	March 29, 2022
Neighbor Letter Date		March 23, 2022	Number of Letters Sent	45

Proposal

Applicant proposes use of a 3-bedroom home as a vacation rental unit. The permit would allow maximum of 7 occupants.

Vacation dwelling units located in the R-1 zone district. This property was on the list of eligible properties from the 2021 drawing.

Recommended Action: Staff recommends that Planning Commission approve the permit with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Single-family Residential	Traditional Neighborhood
North	R-1	Single-family Residential	Traditional Neighborhood
South	R-1	Single-family Residential	Traditional Neighborhood
East	R-1	Single-family Residential	Traditional Neighborhood
West	R-1	Single-family 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 Sec. 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;
2. The applicant agrees to sign a development agreement with the city.
3. There is a city-



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wide cap on vacation dwelling units or accessory vacation dwelling units; permits issued for vacation dwelling units or accessory vacation dwelling units in any form district shall not be counted against the maximum number of permits that may be issued, 4. Except for properties within the Higher Education Overlay District as identified in 50-18.5, the minimum rental period and off-street parking requirements of 50-20.3.U and 50-20.5.M shall not apply for vacation dwelling units or accessory vacation dwelling units in form districts.

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

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

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.

Applicant is proposing to provide another type of lodging product for visitors to the City of Duluth and surrounding area.

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 home is a single-family structure built in 1959 and contains 1,196 square feet.

Review and Discussion Items:

- 1) Applicant's property is located at 120 Aspen Lane. The proposed vacation dwelling is a 3-bedroom single family home. The unit would allow for a maximum of 7 guests.
- 2) As shown on the site plan, the existing driveway includes 2 off-street parking spaces.
- 3) There will be room for campers or trailers in the driveway. Campers are not allowed to be occupied while the property is being rented.
- 4) The site does not have any outdoor amenities. There is thick vegetative screening on the west side. The applicant has provided the waiver to exempt them from any additional screening on the east and south sides.
- 5) 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 Heirloom Properties as the managing agent, which meets the criteria.
- 6) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses



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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.

- 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) There are multiple comments attached to this report from citizens in opposition. No comments from City staff, or any other entity were received regarding the application.
- 9) The permit will expire 6 years from the approval date. 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 interim use permit based on 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 applicant shall adhere to the terms and conditions listed in the Interim Use Permit.

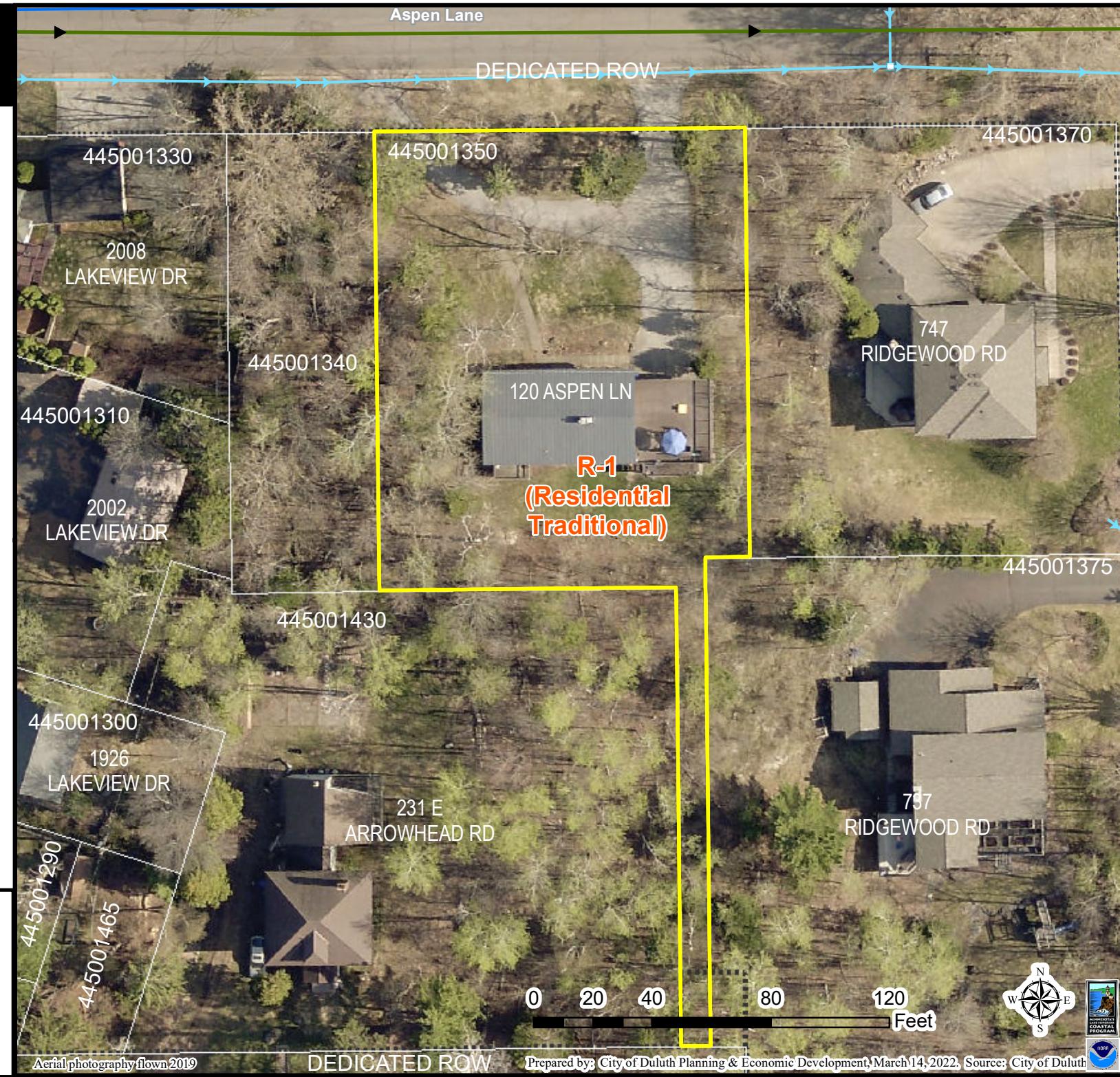


PL 22-039
IUP
120 Aspen Ln

Aspen Lane

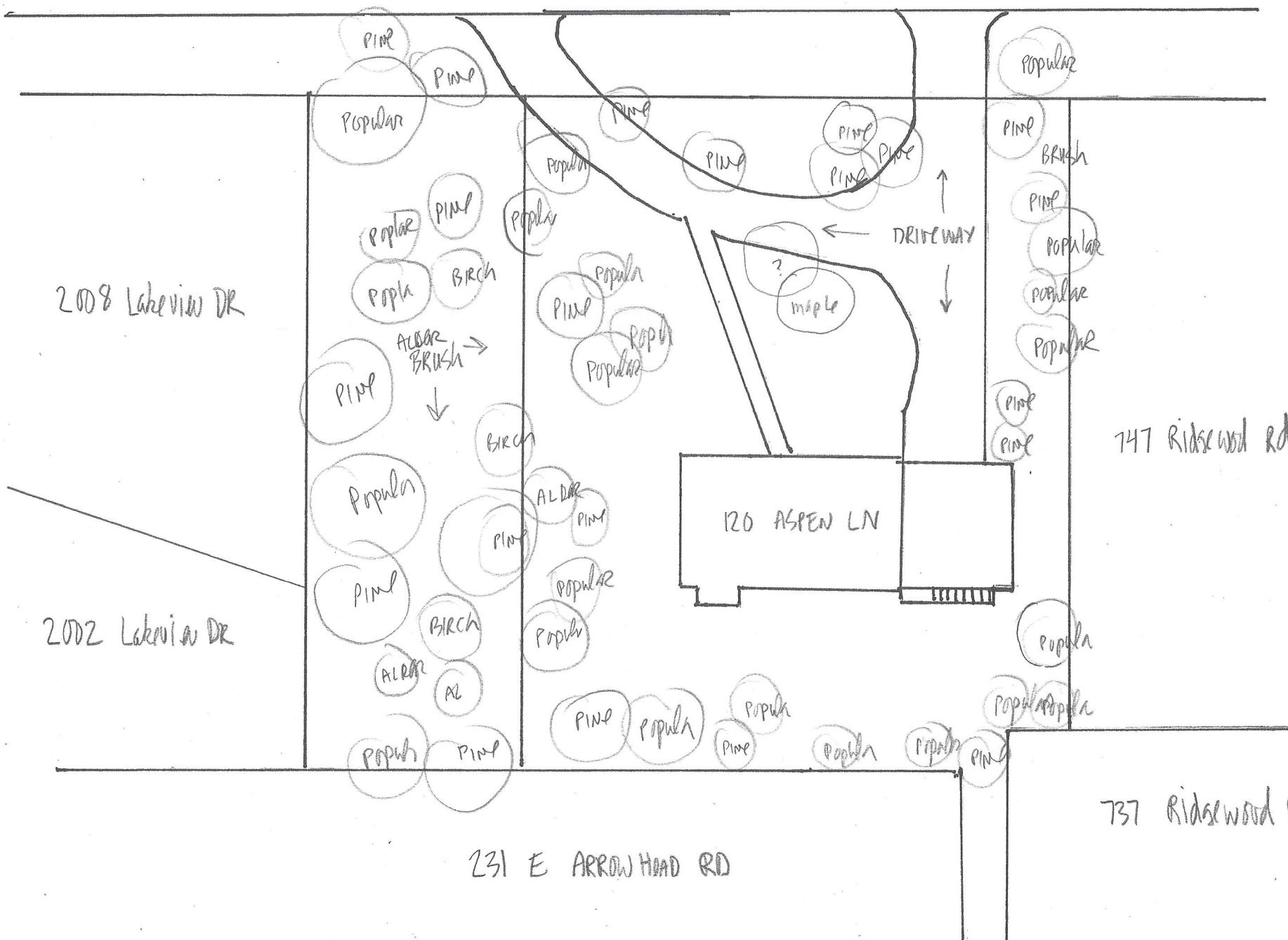
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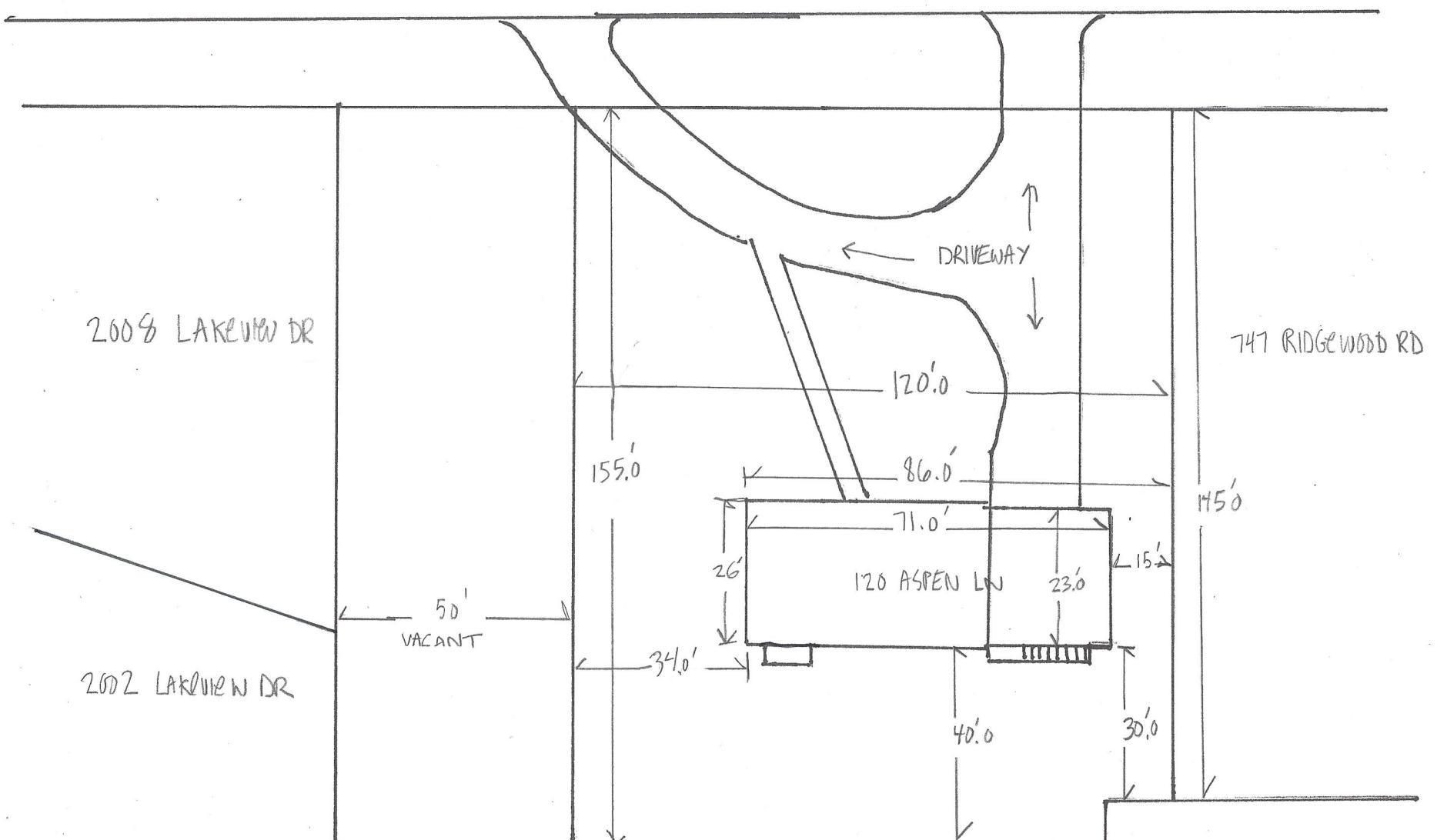
SCREENING PLAN 120 ASPEN LN

ASPEN LANE



SITE PLAN - 120 ASPEN LN

← ASPEN LANE →



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? 3 **What will be your maximum occupancy? 7**

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? 0

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? Yes, in driveway**

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**

120 Aspen Lane, Tree Screen Photos, February 2022

NW side of property, Looking S from upper driveway



SE side of property looking SW from lower driveway



SE side of property looking SW from Street



NW side of property looking S from street



NW side of property looking W



SE side of property looking SW from Driveway

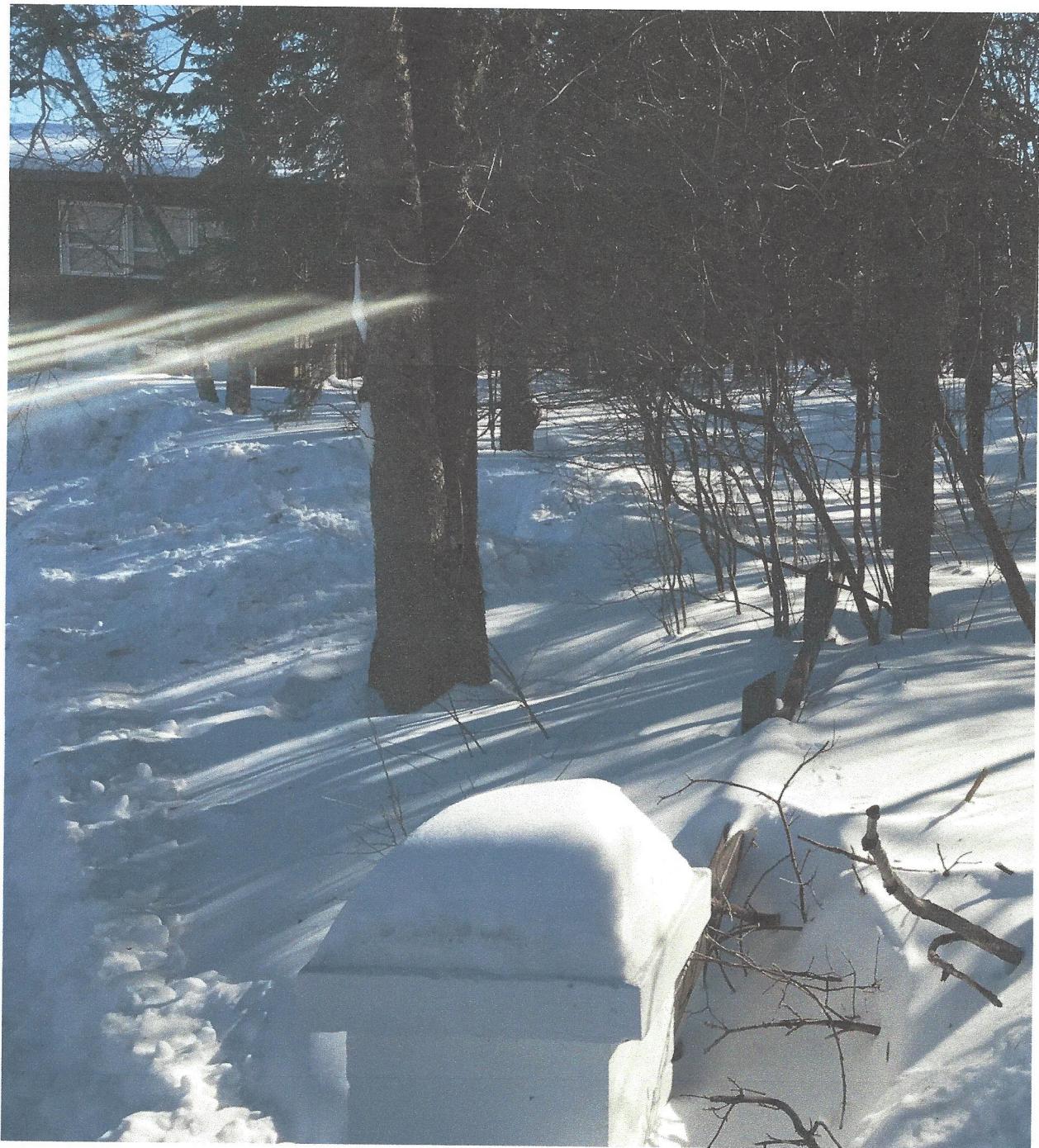


SE side of property looking E from upper driveway



Property looking S from street





From: [planning](#)
To: [Chris Lee](#)
Subject: FW: Regarding Interim Use Permit for Vacation Dwelling at 120 Aspen Lane
Date: Monday, April 4, 2022 7:01:53 AM

From: Sherry Boyce <sboyce@umn.edu>
Sent: Saturday, April 2, 2022 4:40 PM
To: planning@DuluthMN.gov
Subject: Regarding Interim Use Permit for Vacation Dwelling at 120 Aspen Lane

April 2, 2022

Duluth Planning Commission
411 West First Street
Room 160
Duluth, MN 55802

To whom it may concern;

We are opposed to the City of Duluth granting an Interim Use Permit for a vacation dwelling at 120 Aspen Lane.

Our names are Sherry and Mark Boyce and we live at 2114 Lakeview Drive. We have lived in this home since September, 1984 (over 37 years). 120 Aspen Lane is at the end of our block and around the corner, 6 houses away.

This neighborhood can be roughly defined geographically by its borders of Snively, Lakeview Drive, and Tischer Creek. It is sometimes referred to as Waverly Park.

It includes 165 houses. The neighborhood has the unique feature of a boulevard dividing the lanes on Lakeview Drive.

One of the twelve guiding principles in the 2006 Comprehensive Plan for Duluth is **Strengthen Neighborhoods...** "The present city is an historical amalgam of villages and other independent units of government, contributing to the present condition of Duluth being strongly defined by its neighborhoods. This condition should be reinforced through land use, transportation and public service delivery patterns which strengthen neighborhood identity. New institutional expansions, major public infrastructure or large commercial or industrial uses should not divide historic neighborhood patterns."

Strong neighborhoods...We realize that this principle may be addressing larger development. However, as stated, our city is made of neighborhoods.

We'd like to focus on some of the positive aspects of Waverly Park's strong neighborhood identity and the negative impact of a vacation dwelling on it.

Residents of the neighborhood work as stewards of "place".

In 1989, Lakeview Drive had 31 Elms cut down. Residents on the street contributed the money to buy Maples to replant the boulevard. The City's Forester worked with the

neighborhood to get the trees and managed the planting. Neighbors continue care of the neighborhood such as cleaning up garbage from the park and creek, a community garden, and little free libraries.

Residents in the neighborhood have worked together over the decades to foster and sustain connections with each other.

This example is from the last 2 years. A Neighborhood Facebook page, initiated by neighbors, provided the ability to communicate during the early weeks of the Pandemic. It was a way to coordinate socially distanced activities for kids during their breaks from remote learning.

Neighbors help each other; whether it's snowblowing, coordinating grocery store trips to minimize exposure during 2020, help in shuttling kids to activities, or delivering comfort food to a family in a time of need.

Granting this permit does not contribute to reinforcing these aspects of a strong neighborhood.

Safe neighborhoods are an aspect of strong neighborhoods.

120 Aspen Lane is adjacent to a paved and well-used walkway that connects neighborhoods in Congdon to this neighborhood and services in the Mount Royal area. There is no sidewalk on Aspen Lane. An increase in traffic to the proposed vacation dwelling is not a positive move for the safety of the children, teens, and adults who use this connecting path.

We object to granting this permit because of the increased traffic in an area that is heavily used by walkers and cyclists.

These two points illustrate the negative impact that a vacation dwelling would have in our neighborhood.

We request that you deny the permit for 120 Aspen Lane to become a vacation dwelling.

Sincerely,

Sherry Boyce
218-390-0675
sboyce@umn.edu

Mark Boyce
218-591-0675
hockeydoc.boyce@gmail.com

April 2, 2022

Duluth Planning Commission
planning@duluthmn.gov

re:Interim Use Permit for 120 Aspen Lane (PL22-039)

Dear Members of the Planning Commission:

We are neighbors of 120 Aspen Lane and submit these comments to object to the issuance of an Interim Use Permit for a Vacation Dwelling at 120 Aspen Lane.

We reside at 2001 Lakeview Drive, about 3 houses away from 120 Aspen Lane. We have lived in the neighborhood since 1977. Due to the dead ends on Aspen Lane and Lakeview Drive, all traffic to and from 120 Aspen Lane passes by our property.

We believe the Interim Use Permit should be denied based upon the following:

1. IT IS NOT CONSISTENT WITH THE COMPREHENSIVE PLAN FOR THE CITY.

In particular, it does not comply with #4, which requires support for economic growth sectors. The plan cites higher education and medical fields as growth sectors, not tourism in neighborhoods. Our neighborhood is close to both UMD and CSS, and has been home to many faculty members over the years. It is also convenient to the medical facilities, and has provided homes to many who work in the medical systems. Taking this property off the market for ownership by families engaged in these sectors removes support in violation of #4. Recently a family member in the medical sector who has chosen to move to Duluth was searching for a home and was told there were only 23 properties on the market in the whole city, when previously there have been up to 1200. We cannot support these sectors and attract new professionals when single family homes are removed from the rental and ownership market for the purposes of tourism.

The application is also not consistent with #5 of the Comprehensive Plan, which requires strengthening of neighborhoods. Since 120 Aspen Lane is currently non-homestead, with management by an LLC, there will be nobody living in the home except strangers who are constantly changing. They have no interest in strengthening the neighborhood. Friends who purchased a home on the hillside in Duluth have told us that when they moved in there were many children in the neighborhood. Then several properties were turned into vacation rentals and the children disappeared. Now there are ever-changing tourists and no children, and there is no remaining neighborhood. This violates #5 of the Comprehensive Plan.

This application also violates #6, as it will not reinforce the “place-specific” “ravine park” which is adjacent at the dead end of Aspen Lane. There is a paved walkway between Ridgewood Road and Aspen Lane that is natural space and protected. It is a natural feature that defines the

neighborhoods. This application does not reinforce that natural feature as the persons using the property will not be living there, cleaning branches, shoveling the path and making friends with neighbors, visiting and walking down to Hidden Valley, etc. contrary to Comprehensive Plan #6.

In the same way, this application violates #7 of the Comprehensive Plan which requires the city to create and maintain connectivity established by sidewalks, bikeways and trails. The pathway between Ridgewood Road and Aspen Lane provides access for the whole Hidden Valley/Congdon neighborhood to the Mt. Royal shopping/library/post office as well as access to running, biking etc. to Jean Duluth Road and Hawk Ridge for walkers and bikers. But there is no sidewalk on Aspen Lane. If constantly revolving strangers use the property, there is a safety risk and attendant loss of connectivity for that neighborhood connection. The only other entry from Hidden Valley is at 34th Ave. East, which is only a trail which is snow-covered in winter and deep grass in summer. There does not appear to be any offer in the application to build a protected sidewalk and bike trail on Aspen Lane to recognize and protect this connectivity, and the property apparently will have two driveways directly on to the connection.

In addition, the "Imagine Duluth 2035" document in Housing Sections 2, 3 and 4 focus on providing affordable, attainable housing opportunities for people who want to live in Duluth. There is no mandate to provide housing for tourists, and Duluth has many wonderful hotels that can provide that service. Your duty on the Planning Commission is clearly to provide ongoing, not temporary housing. An article in the StarTribune dated March 27, 2022 outlined the dire situation in Duluth for both renters and buyers. The article states, "With an ongoing limited affordable housing stock and expansions planned in Duluth's medical district and in the aviation sector, city leaders are working overtime to increase its housing supply, even setting aside \$19 million of federal COVID-19 relief money to pay for it." Granting this permit will do the opposite, taking away housing for people who want to live in Duluth. The "Imagine Duluth 2035" document #5 also focuses on maintaining the unique community characteristics of individual neighborhoods. Approving a vacation rental by a non-resident LLC is the opposite of that goal and will lead to deterioration of neighborhood bonds and uniqueness. How can we have neighborhood parties, Easter Egg Hunts and National Night Out with strangers?

2. IN ADDITION TO NON-COMPLIANCE WITH THE COMPREHENSIVE PLAN, THE APPLICATION WILL HAVE A NEGATIVE IMPACT ON THE COMMUNITY.

As mentioned, Aspen Lane is dead end, and eastgoing Lakeview Drive is dead end, so any traffic to or from 120 Aspen Lane will go directly by our house. Tourists presumably come to Duluth to visit the sites, and go up the shore, and we anticipate much more vehicle traffic as the tourists at 120 Aspen Lane move about. This is a particular problem since Lakeview Drive is a boulevard street divided by a median planted with pines. It is a mecca for joggers, bikers, dog walkers, and many others year round. The college and high school cross country and track teams run on the street year round. Bikers funnel out and back to Jean Duluth Road and Clover Valley from Lakeview Drive. Strangers will not likely take care at intersections. This is a safety hazard that is hard to prevent when the vacationers are constantly new. We also believe that when this property is removed from single family ownership or rental, there will be fewer children in the neighborhood. When people look for a neighborhood, they typically look for neighbors who

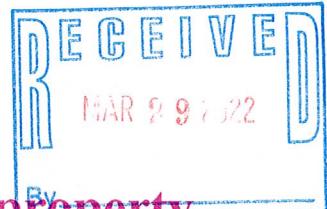
have children. The property as proposed will have screens of trees on all sides, not conducive to neighborliness. While it may be good to screen for loud partying sound, which we certainly hope would never happen, that removes the house from the flow of the neighborhood. It becomes a creepy, scary, often empty, secluded property which would invite crime. Tree screening alone does not address the deeper underlying negative effects on the neighborhood of constantly revolving strangers.

In conclusion, we believe the Comprehensive Plan and the negative impact on our neighborhood require the Planning Commission to deny this application from a corporate non-resident.

Yours truly,
Mark Knutson
218-343-9042
markknutson1@gmail.com

Beth Storaasli
218-343-8943
bethstoraasli@gmail.com





March 23, 2022

Re having a rental property adjoining my property AT 2002 Lakeview Drive, I am not for it. I moved into this house in 1963 with the assurance, it seemed, that this would always be a strictly residential neighborhood.

My neighbor next door at 2008 said that "If it would be students, we'd move." His wife is a Prof. and knows students well, and he said he has heard enough "horror stories" regarding students and so have I over the years.

I can't think of anybody who would willingly ask for short-term-rentals adjoining their property and neither of the two households affected here wish for this to occur.

I think it is a mistake if the Planning Commission allows our residential neighborhoods to be chipped away when this is not what we invested money in our homes for in the first place. I already have a change on the other side of me and my view now is parked cars. I used to be a Duluth Tree Commissioner, and believe me, we tried to preserve, not chip away at what we already had.

If Chris has any questions, he may call me at 218-724-5133 afternoons.

Janet Vittorio Corica
Janet Vittorio Corica

From: [planning](#)
To: [Chris Lee](#)
Subject: FW: Interim Use Permit for 120 Aspen Lane
Date: Monday, April 4, 2022 11:15:25 AM

From: Lise Lunge-Larsen <liselungelarsen@gmail.com>
Sent: Monday, April 4, 2022 11:15 AM
To: [planning <planning@DuluthMN.gov>](#)
Subject: Interim Use Permit for 120 Aspen Lane

Duluth April 4, 2022

To: Duluth Planning Commission
planning@duluthmn.gov

Re: Interim Use Permit for 120 Aspen Lane

Dear Members of the Commission

My name is Lise Lunge-Larsen. My husband Steve Kuross and I have lived at 2011 Lakeview Drive since 1987. Our home is directly across the street from Aspen Lane. Every vehicle coming or going to Aspen Lane passes in front of my house.

I am writing to express my strong opposition to granting 120 Aspen Lane a permit to operate a Vacation Dwelling Unit for many reasons:

1. At a time when the City has acknowledged there is a housing crisis, I find it outrageous that what could have been sold as a lovely family home in a friendly family neighborhood might instead be turned into a Vacation Dwelling. I know countless young families who are looking for a home in a safe neighborhood. Just yesterday I heard from a young woman who is returning to Duluth having taken a job as an ER Nurse. She and her husband are desperately looking for a place to live. I wish I could tell her there's a house on Aspen Lane for sale! It is housing for people Duluth needs, not Vacation Dwelling Units.

2. A Vacation Dwelling Unit, especially one run by a corporation, begins to destroy the integrity of the neighborhood which is at direct odds with the City's stated objective of strengthening neighborhoods. This is a very family friendly neighborhood. We know each other, we stop and chat across our yards, in the streets and on the sidewalks. During COVID Lockdown we had a neighborhood Facebook Page with updates and safe activities we could organize for the children, such as placing teddy bears in the windows. My grandchildren, who live a block away from me, ran all over the neighborhood counting how many teddy bears they could find - and it changed every day. In the midst of lockdown, we created community. A constant stream of new people with no connection to us or this neighborhood begins to unravel that connection.

3. I also want to point out that this is not a case of a purely affluent neighborhood trying to keep development out of their backyard. Our neighborhood, often referred to as Waverly Park, is a naturally varied and mixed income neighborhood and it gives families with lower income access to a safe and affordable neighborhood. There are large houses, and small houses and many sizes in between. Because of this, we have a variety of demographic groups represented; singles, young families, single elderly, empty nesters and so on. Because the houses are of such varied sizes there are also people of very differing economic situations living here something I realized during Covid lockdown. So many families living here qualify for reduced school lunches that the school bus made regular stops every day. Watching all these families pick up lunches, I felt proud of the city for taking care of its citizens and I also felt proud that this safe, welcoming neighborhood is also affordable for people of lower income. Our neighborhood does, in fact, meet the city's goal of providing affordable, attainable housing. Vacation Dwelling Units do exactly the opposite.

4. As I am sure you are well aware, Vacation Homes, especially the ones owned by a corporation, drive up housing prices and property taxes. This will add even more to the crunch in the housing market and inflate house prices to levels that are unsupportable and unsustainable for so many of the families who live here. Making it impossible for families to afford a home is surely at odds with community building as well as the City's stated goals.

4. Lakeview Drive and its adjacent streets are an asset for the greater community. Because Lakeview Drive is one of only two boulevard streets in Duluth, it is an ideal place for walking, biking, running and visiting. It is a safe neighborhood with easy walking to Tischer Creek as well as to the post office and as such it draws in people from all other neighborhoods to benefit from the low traffic. Every day,

starting at 5:30 am dog walkers, regular walkers, bikers, and runners are out and about on our street. The high school and college runners come through every afternoon, and people walk their dogs towards the creek. The neighborhood is abuzz with friendly voices even in the depths of winter. Children play and bike outside and feel safe. Because we know each other and know just when the school buses are picking up and dropping off kids, when kids are out playing, and where the lemonade stands are likely to pop up, we drive carefully. An example of what a community asset our neighborhood is happens every Halloween. People from all over the city, where unfortunately it is less safe, come with their children to trick or treat. It is a delight to greet them every year.

5. 120 Aspen Lane is a 3 bedroom house, but it could easily be renovated to create more bedrooms, or add a sleeper sofa to allow for additional people. If you assume many of the renters will be couples, we are looking at 6-10 new people arriving every other day, probably with one vehicle per couple, so 3-5 vehicles. That is a lot of additional traffic and people not familiar with the neighborhood. Neither will they be familiar with the special care driving on a boulevard street entails. You have to sneak around the boulevard in front of my house because you can't really see if there's a small child on the other side, or if a biker or car is coming down Lakeview Drive on the other side of the boulevard. Will visitors know this? Visitors in a hurry? I don't think so. The corner of Aspen Lane and Lakeview Drive is directly in front of my house. It is where my grandchildren (as well as many other children) stop and prepare to walk across the street. With a house turned into a Vacation Dwelling at 120 Aspen Lane, with potentially 3-5 new vehicles arriving every other day, and countless strangers coming and going, that corner becomes a huge danger, especially on this piece of street which is used as a walking path by school children every day.

6. Furthermore, 120 Aspen Lane boasts an unusually large deck which can easily be fitted out for large outdoor parties. With no connections to neighbors, and alcohol doubtlessly involved, visitors will likely not care about the noise they create. They might leave town next day.

It is disheartening to talk to friends whose neighborhoods have many Vacation Rental Units and get this advise, "Oh, when the noise begins, call the police at once. Don't call the owner because the owner never responds." This is probably even more true when the owner is a corporation. None of this is conducive to community building.

7. I understand Andy Goldfine LLC is a business man, real estate developer and owner of hotels. I am not opposed to development in Duluth, but I am opposed to a corporation (with access to corporate loans as opposed to mortgages like the rest of us) taking a family home off the market and turning it into a Vacation Dwelling Unit in a neighborhood that is not zoned for mixed use. That will only begin to unravel the fabric of an existing neighborhood - a neighborhood which is almost a model of what Duluth puts forth in its vision plan. And it is certainly not a neighborly thing to do.

For these many reasons we strongly urge the City to deny permit to turn 120 Aspen Lane into a Vacation Dwelling Unit. It will clearly detract from everything the City has stated its vision for Duluth.

Yours sincerely,

Lise Lunge-Larsen
(218) 349-2927
lll@chartermi.net

Steve Kuross
(218) 349-6100
skuross@chartermi.net

From: [Jim Brych](#)
To: [Chris Lee](#)
Subject: Comments: Vacation Dwelling Unit permit for 120 Aspen Lane
Date: Tuesday, April 5, 2022 9:23:48 PM

Chris, April 5, 2022

The following are our comments regarding the vacation dwelling unit (VDU) permit application for 120 Aspen Lane, Duluth (PL 22-039).

Here is a little background about our neighborhood. We live directly across from 120 Aspen lane. Our house is at the end of a dead end road and because of this we live in a quiet, residential area with little vehicular traffic. This quiet feature was one of the deciding factors when we purchased our house. We have 2 elementary school aged children that enjoy playing outside, including in the street. Although vehicular traffic is low at our house, there is a foot path connecting our street to an adjacent neighborhood and as a consequence we have an abundance of walkers using our street, including small children.

As is probably to be expected, we would prefer not to have a VDU property directly across from our property. We have realized after talking to several parties that once an application is received and is in order, VDU permits are rarely denied. However, for the record we would like to voice our concerns.

1. To our knowledge this is the first VDU within a radius of 350 feet and beyond of 120 Aspen Lane. We are concerned this VDU will change the nature of our quiet, residential neighbor.
2. The house at 120 Aspen Lane is within walking distance from UMD (0.9 miles from the stadium) and we are concerned it will attract college age renters who come for athletic events, graduation or other campus events. We understand that the city permit cannot restrict the age of renters and are concerned this has the potential to become an opportunity for large, noisy parties and gatherings.
3. As is well known, the current housing and rental opportunities in Duluth are scarce. Shouldn't the City of Duluth be working to increase these opportunities for our residents rather than promoting tourism? We think the City of Duluth should take care of our own before promoting tourism.
4. We are concerned that with increased traffic of primarily out-of-town renters directly across our street that our risk of theft may be increased.
5. We believe that house values and appeal will decrease to neighbors of 120 Aspen lane. If we were looking to purchase 2 similar homes, but one was adjacent to a VDU, we certainly would avoid the home next to the VDU.

If the VDU permit is approved, we ask for the following reasonable conditions. We have talked to Andy and Molly Goldfine and their vision for managing the VDU are mostly consistent with ours. As such, it would be nice to have the following conditions listed on the permit. (listed in order of preference).

1. Is there any way to set the minimum age of the primary renter to 25 years old? This would help prevent younger, perhaps college age students from renting the house and having parties.
2. This permit allows for 7 people to sleep at the residence. However, we would like to prevent these 7 people from inviting large groups of people over during the day/ evening and having large gatherings on the large porch overlooking Lake Superior. Can the maximum number of people on the property at one time be limited to 15 people?
3. Several of the neighbors of 120 Aspen are working professionals who need to get up early for work, are on call and / or working weekends. Because of this we request that quiet hours be no later than 9 PM.
4. We request no campers, trailers or tents on the property or street
5. The Goldfines do not plan to allow pets on their VDU property. Can this be formalized on the permit or if pets are later felt okay that there be an enclosed fence in the backyard.
6. 120 Aspen lane has a 2 car garage, double wide driveway and a large circle drive. This should be more than enough parking for 7 people and we request that there be no street parking.

Thank you for reviewing our concerns. We appreciate the opportunity to comment.

Sincerely,

Jim and Kari Brych
123 Aspen lane, Duluth