



Planning & Development Division
Planning & Economic Development Department

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File Number	PL 23-124	Contact	Chris Lee, clee@duluthmn.gov	
Type	Interim Use Permit	Planning Commission Date		September 12, 2023
Deadline for Action	Application Date	June 30, 2023	60 Days	September 28, 2023 (extended 30 days)
	Date Extension Letter Mailed	July 7, 2023	120 Days	November 27, 2023 (extended 30 days)
Location of Subject		122 E Buffalo Street		
Applicant	Venkata Gireesh Menta & Ruth Pallapati	Contact		
Agent		Contact		
Legal Description		PID:		
Site Visit Date	August 29, 2023	Sign Notice Date		August 29, 2023
Neighbor Letter Date	August 15, 2023	Number of Letters Sent		49

Proposal

Applicant is proposing an Interim Use Permit to operate a 4-bedroom vacation dwelling unit. A vacation dwelling unit allows for periods of occupancy of 2 to 29 days, with a minimum stay of 2 nights.

Staff is recommending Planning Commission approve the interim use permit.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential Traditional	Traditional Neighborhood
North	R-1	Residential Traditional	Traditional Neighborhood/Preservation
South	R-1	Residential Traditional	Preservation
East	R-1	Residential Traditional	Preservation
West	R-1	Residential Traditional	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.

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

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.

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.

Current History: The property is a 4 bedroom home containing 1,070 square feet built in 1952.

Review and Discussion Items:

- 1) Applicant's property is located on 112 E Buffalo Street. The proposed vacation dwelling unit has 4 bedrooms, which would allow for a maximum of 9 guests.
- 2) 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 as the managing agent.
- 3) Parking for the house is located in the two car attached garage on the east side of the house and the driveway.
- 4) The site plan indicates that there two wooden decks and a firepit as exterior amenities. The site plan shows existing screening/buffering on the west side of the property. The south and east side do not meet the definition of dense urban screen with only a 4' tall chainlink fence.
- 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 comments from citizens, City staff, or any other entity were received regarding the application.

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) Applicant shall install dense urban screen or obtain waiver from neighbors on south and east sides.
- 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 approval; however, no such administration approval shall constitute a variance from the provisions of Chapter 50



PL 23-124
Interim Use Permit
122 E Buffalo St

8 inch , Vitreous
Clay Pipe ,
506.969626°

Legend

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



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Aerial photography flown 2019

121 E
TOLEDO ST

Prepared by: City of Duluth Planning & Economic Development, August 16, 2023 Source: City of Duluth

127 E
TOLEDO ST



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?

4

What will be your maximum occupancy?

9

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? 4

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, barbeque 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):

Will maintain an excel spreadsheet

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:

Venkata Girish Menta & Ruth Pallapati

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:

Will provide this info in the ^{web} advertisement
and also as a copy in the residence

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.