



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580

planning@duluthmn.gov

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|-----------------------------|--|---------------------------------|-----------------------------------|-----------------|
| File Number | PL 19-166 | Contact | John Kelley, jkelley@duluthmn.gov | |
| Type | Interim Use Permit– Vacation Dwelling Unit | Planning Commission Date | December 10, 2019 | |
| Deadline for Action | Application Date | November 6, 2019 | 60 Days | January 5, 2020 |
| | Date Extension Letter Mailed | November 8, 2019 | 120 Days | March 5, 2020 |
| Location of Subject | 5802 London Road | | | |
| Applicant | Dean & Carin Jablonsky | Contact | deanjablonsky@gmail.com | |
| Agent | | Contact | | |
| Legal Description | PID # 010-2830-00160 | | | |
| Site Visit Date | November 26, 2019 | Sign Notice Date | November 26, 2019 | |
| Neighbor Letter Date | November 26, 2019 | Number of Letters Sent | 28 | |

Proposal

Applicant proposes to use the house with 2 bedrooms each for vacation rentals. Up to 5 people will be allowed to stay in the home. A vacation dwelling unit allows for periods of occupancy of 2 to 29 days, with a minimum stay of 2 nights.

| | Current Zoning | Existing Land Use | Future Land Use Map Designation |
|----------------|-----------------------|--------------------------|--|
| Subject | R-1 | One-Family Dwelling | Traditional Neighborhood |
| North | R-1 | One-Family Dwelling | Traditional Neighborhood |
| South | N/A | N/A | N/A |
| East | R-1 | One-Family Dwelling | Traditional Neighborhood |
| West | R-1 | One-Family Dwelling | Traditional Neighborhood/Open Space |

Summary of Code Requirements:

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



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

Governing Principle #5 - Strengthen neighborhoods

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

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 and neighborhood extensions, and new traditional neighborhood areas.

Current History: 2018 – PL 18-141 Boundary Line Adjustment

The site is developed consistent with the future land use as described and the applicant is not proposing alterations to the use.

Review and Discussion Items:

- 1) Applicant's property is located at 5802 London Road. The proposed vacation dwelling units contains 2 bedrooms, which would allow for a maximum of 5 guests. This 1,714 square foot home was constructed in 1937.
- 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 applicant has listed Heirloom Property management at 202 East 1st Street to serve as the managing agent.
- 3) The site has room for the required vehicle parking. There will not be any campers or trailers parked on the property.
- 4) The site does have an outdoor concrete patio area and a fire pit in the rear yard area. The property is screened sufficiently by trees and shrubs along the east and west property lines from neighboring properties.
- 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 has applied 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



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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 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 applicant must provide a written disclosure to all guests stating that quiet hours shall be observed between the hours of 10 p.m. and 8 a.m.
- 3) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit document and provide evidence of compliance, which will be included in the resolution.