



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PLIUP-2503-0022		Contact	Christian Huelsman, chuelsman@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit		Planning Commission Date		May 13, 2025
Deadline for Action	Application Date		April 9, 2025	60 Days	June 8, 2025
	Date Extension Letter Mailed		April 23, 2025	120 Days	August 7, 2025
Location of Subject		13402 W 3rd St			
Applicant	Matthew Evingson		Contact	Matthew Evingson	
Agent	n/a		Contact	n/a	
Legal Description		PIN: 010-1610-00090			
Site Visit Date		April 28, 2025	Sign Notice Date		April 29, 2025
Neighbor Letter Date		April 22, 2025	Number of Letters Sent		9

Proposal

The applicant proposes to renew a 5-bedroom dwelling as a vacation dwelling unit. The unit was previously approved via PL19-075.

Recommended Action: Staff recommends that Planning Commission approve the interim use permit.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Vacation Dwelling Unit	Traditional Neighborhood
North	R-1	Transportation	Traditional Neighborhood
South	MU-N	Campground	Neighborhood Commercial
East	MU-N	Utility Infrastructure	Traditional Neighborhood
West	MU-N	Campground	Neighborhood Commercial

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the MU-N 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.

UDC Sec. 50-20.3.V . . . Vacation dwelling units licensed before December 1, 2021, that exceeded four bedrooms are entitled to continue operating, however, this exemption expires upon transfer of any ownership interest in the permitted property.

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.

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.

History: The application for an Interim Use Permit for a Vacation Dwelling Unit was first approved by City Council in 2013, and again in 2019.

Review and Discussion Items:

Staff finds that:

- 1) Applicants' property is located at 13402 W 3rd St. The dwelling unit contains 5 bedrooms, which allow for a maximum of 10 guests. As noted above, as a previously approved permit this property is allowed to exceed the 4-bedroom limit until a change of ownership occurs.
- 2) This is a renewal application for PL19-075. Concerning violations or enforcement actions regarding the subject property, one complaint was received on 1/26/2021 regarding an unlicensed vacation rental. The complaint was resolved, noting the wrong permit number listed.
- 3) The minimum rental period will be two nights.
- 4) One off-street parking space is required to be provided. The applicant is proposing five off-street parking stalls in a driveway area along the western edge of the parcel.
- 5) The applicant has indicated they will allow motorhome or trailer parking, at either the east or west side of the house.
- 6) The site plan does not indicate any outdoor amenities. Staff notes there is a deck located to the rear of the structure, as well as a covered porch at the front entry. The west side yard and rear yard of the property is screened by a fence meeting the standard of a dense urban screen.
- 7) 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 holders must provide contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. Applicant has listed himself to serve as the managing agent.
- 8) A time limit is needed on this Interim Use Permit ("IUP") to protect the public health, safety and welfare from potential longer-term impacts of the requested use at the location of the subject property. 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.
- 9) Applicant must comply with the City's vacation dwelling unit regulations, including providing information to guests on city rules.
- 10) There are currently 177 licensed vacation dwelling units in the city, with 89 of those in form districts; the remaining 88 are subject to the cap of 110. The subject property is located within a residential district and is subject to the cap.
- 11) Among City, public or agency comments, one submitted by MnDOT on April 21st (attached) concerns a proposed driveway and parking area following modifications to MN Route 23 (W 3rd St). The owner is advised to reach out to the MnDOT permits section to discuss that proposal.
- 12) 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 permit subject to the following conditions:

- 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 and do not constitute a variance from the provisions of Chapter 50 may be approved by the Land Use Supervisor without further Planning Commission review.



PLIUP-2503-0022

Interim Use Permit
13402 W 3rd St

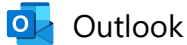


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Aerial Imagery Captured 2019

Prepared by: City of Duluth Planning & Economic Development, March 6, 2025. Source: City of Duluth.





Fw: May Pending Items Notice

From: Miles, James (DOT) <james.miles@state.mn.us>
Sent: Monday, April 21, 2025 8:33 AM
To: Natalie Lavenstein <nlavenstein@DuluthMN.gov>
Cc: Gries, Shane (DOT) <shane.gries@state.mn.us>; Hinzmann, John (DOT) <john.hinzmann@state.mn.us>; Miles, James (DOT) <james.miles@state.mn.us>
Subject: RE: May Pending Items Notice

Hi Natalie,

Comment regarding PLIUP-2503-0022 (13402 W 3rd St):

- The proposed site plan shows a new driveway connection to the existing access on TH 23. The plan does not show changing the access location but it does show a significant amount of work within the state highway ROW and impacts to the existing sidewalk. This proposed driveway within the state ROW will need be permitted by MnDOT. It will not be permitted as it is currently drawn. The applicant should reach out to the MnDOT permits section to discuss this proposal.

Thanks,
Jim Miles

James A. Miles, P.E., PTOE
District Traffic Engineer
MnDOT District One - Duluth
218-725-2789

From: Natalie Lavenstein <nlavenstein@DuluthMN.gov>
Sent: Friday, April 18, 2025 4:36 PM
Subject: May Pending Items Notice

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Hello,

The Duluth City Planning Commission has received 22 new application(s) for review. Please review the technical aspects and desirability of the proposals and provide comments at your earliest convenience. Note that City of Duluth reviewers with access to EPL can view the applications there as well; by searching the project number under "Manage Plans". The proposals can be found at the following link: [May 13th Pending Items Notice](#)