



**Planning & Development Division**  
Planning & Economic Development Department

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File Number	PLIUP-2406-0003	Contact	Chris Lee, cleee@duluthmn.gov	
Type	Interim Use Permit, Renewal – Vacation Dwelling Unit	Planning Commission Date		September 10, 2024
Deadline for Action	Application Date	July 15, 2024	60 Days	September 14, 2024
	Date Extension Letter Mailed	August 2, 2024	120 Days	November 12, 2024
Location of Subject		728 S Lake Ave		
Applicant	Kay Baker	Contact		
Agent		Contact		
Legal Description		PIN: 010-4380-01150		
Site Visit Date		August 27, 2024	Sign Notice Date	August 27, 2024
Neighbor Letter Date		August 24, 2024	Number of Letters Sent	24

**Proposal**

The applicant proposes use of 3-bedroom home in a R-1 district as a vacation rental property. This is a renewal of PL18-030.

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

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-1	Residential	Traditional Neighborhood
<b>North</b>	R-1	Residential	Traditional Neighborhood
<b>South</b>	R-1	Residential	Traditional Neighborhood
<b>East</b>	Lake Superior	Lake Superior	Lake Superior
<b>West</b>	MU-N	Hotel	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 #4- Support economic growth sectors

A short-term rental supports the tourism industry and provides a service for visitors.

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 property has been used as a short term (PL18-030) and long term rental. The house was built in 1886 and is 2,262 square feet.

**Review and Discussion Items:**

Staff finds that:

- 1) Applicant's property is located at 728 S Lake Ave. There are 3 bedrooms, which allow for a maximum of 7 guests.
- 2) The minimum rental period will be two nights.
- 3) Three parking spaces will be provided on the existing driveway.
- 4) The applicant has indicated they will allow motorhome or trailer parking on the driveway.
- 5) The site plan does indicate a grill in the rear yard as an outdoor amenity. The property has screening that complies with the dense urban screening requirements.
- 6) 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 Meghan Callahan and Bryan Haakensen to serve as the managing agent.
- 7) 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.
- 8) Applicant must comply with Vacation Dwelling Unit Regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 9) There are currently 162 licensed vacation dwelling units in the city, with 79 of those in form districts; the remaining 83 are subject to the cap of 100.
- 10) No City, public or agency comments were received.
- 11) 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 may be approved by the Land Use Supervisor without further Planning Commission review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



PLIUP-2406-0003  
Interim Use Permit - Renewal  
728 S Lake Ave

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Lot Line

728 Lake  
Avenue South

Front  
Porch  
16'x5.5'

Side  
Porch  
8' x 6'

Driveway  
78' x 12'

Fence  
4' high

Back  
Porch  
14' x 9'

Privacy  
Screen  
4' high

Walkway  
12' x 3'

Walkway  
12' x 3' Gate

Fence  
4' high

Grill Tiles  
4' x 3.5'

Walkway  
6' x 12.5'

Garage

Fence  
6' high

Fence  
6' high

Fence  
4' high

Lot Size: 100' x 40'