



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-2502-0005	Contact	Natalie Lavenstein, nlavenstein@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit	Planning Commission Date		April 8, 2025
Deadline for Action	Application Date	February 21, 2025	60 Days	April 22, 2025
	Date Extension Letter Mailed	March 14, 2025	120 Days	June 21, 2025
Location of Subject		2817 Minnesota Ave		
Applicant	Angela and Jonathon Delf	Contact	NA	
Agent	NA	Contact	NA	
Legal Description		010-3110-00990		
Site Visit Date		March 25, 2025	Sign Notice Date	March 20, 2025
Neighbor Letter Date		March 18, 2025	Number of Letters Sent	34

Proposal

The applicant proposes use of a 3-bedroom single family home as a new vacation rental property. The applicant was on the vacation dwelling unit eligibility list.

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

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	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 Section 50-20.3.V 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 allows property owners to generate income and provides a service for tourists.

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.

History: The subject property was built in 2015. The existing structure is a 3-bedroom single family home with an attached 1 car garage.

Review and Discussion Items:

Staff finds that:

- 1) Applicants' property is located at 2817 Minnesota Ave. The unit has 3 bedrooms, which allow for a maximum of 7 guests.
- 2) The minimum rental period will be two nights.
- 3) Two off-street parking spaces will be provided—one on the property's driveway and one in the property's garage.
- 4) The applicant has indicated they will allow motorhomes or trailers on the property's driveway.
- 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 holders 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 to serve as the local contact.
- 6) Applicant has indicated a table and chairs in the rear yard as an outdoor amenity.
- 7) The adjacent property to the north provided a letter waiving the screening requirement. The adjacent residential property to the south provided a letter waiving part of the rear yard screening requirement to maintain the lake view but is requesting partial screening. The rear of this property is within the shoreland setback of 50' from Lake Superior, and structures are not allowed to be built within this setback without a variance. Applicant has been made aware of screening options including the vegetative options that do not require a variance.
- 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 vacation dwelling unit regulations, including providing information to guests on city rules.
- 10) There are currently 170 licensed vacation dwelling units in the city, with 84 of those in form districts; the remaining 86 are subject to the cap of 110. The subject property is located within a residential traditional zone district and is subject to the cap.
- 11) Two public comments in opposition were received. The comments were in regard to the high amount of vacation dwelling units on Park Point and street parking. No agency, or City comments were received.
- 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:

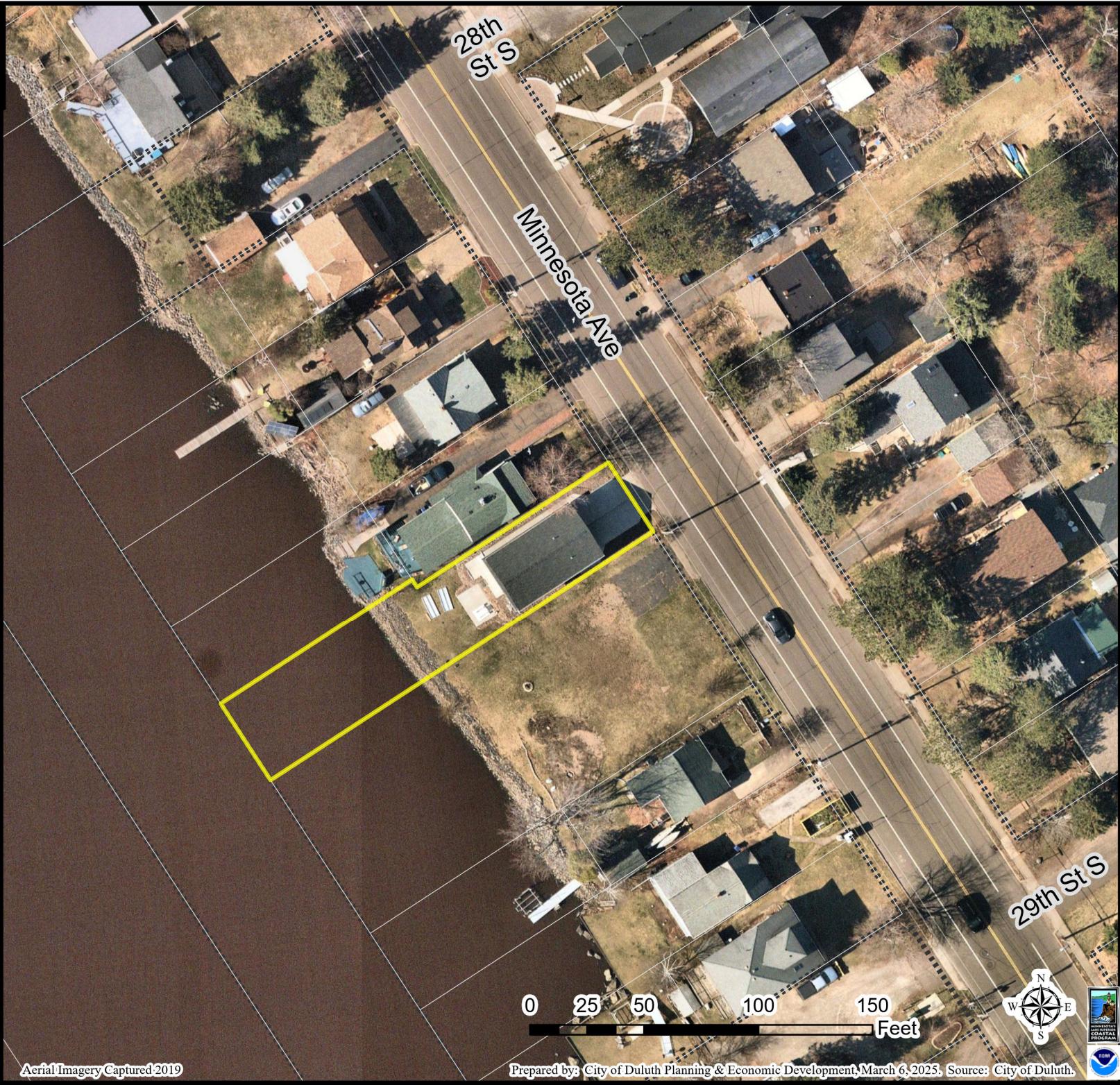
- 1) Prior to issuing the permit, applicant must provide evidence that the dense urban screening was installed. Alternatively, the applicant must provide evidence that the adjacent property owner to the south has waived the dense urban screening requirement.
- 2) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 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 review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.

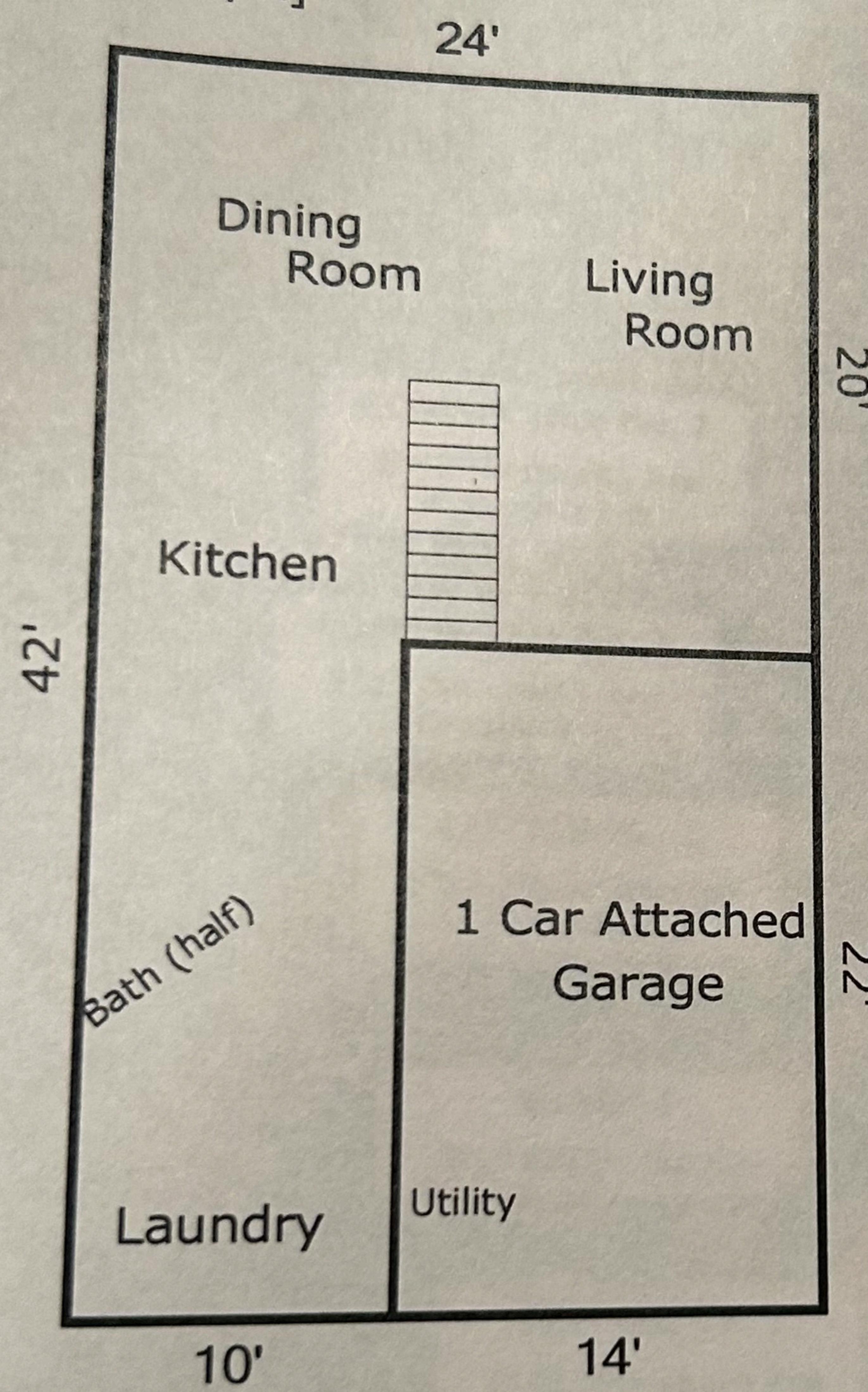
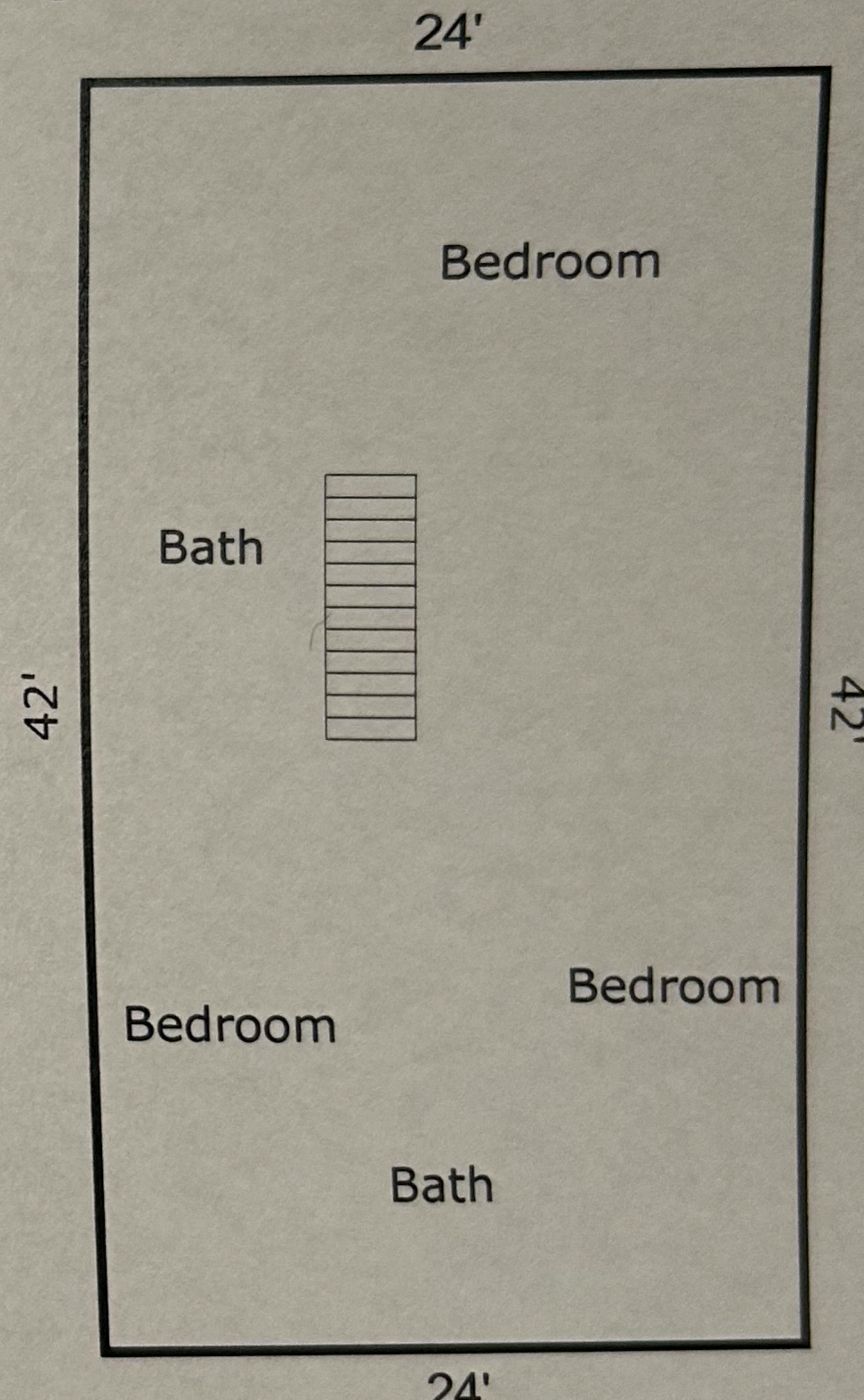


PLIUP-2502-0005

Interim Use Permit
2817 Minnesota Ave

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.



First Floor
[700 Sq ft]**Second Floor**
[1008 Sq ft]

TOTAL Sketch by a la mode, inc.

Area Calculations Summary

Calculation Details

$24 \times 20 = 480$

$10 \times 22 = 220$

$42 \times 24 = 1008$

$14 \times 22 = 308$

Living Area
First Floor

700 Sq ft

Second Floor

1008 Sq ft

Total Living Area (Rounded):

1708 Sq ft

Non-living Area

308 Sq ft

Subje

2817 Minnesota Ave
Sales Price
Gross Living Area 1,70
Total Rooms 7
Total Bedrooms 3
Total Bathrooms 2.1
Location N;Res
View B;Wtr;
Site 6970 sf
Quality Q3
Age 5

**Subject Rea****Subject S**

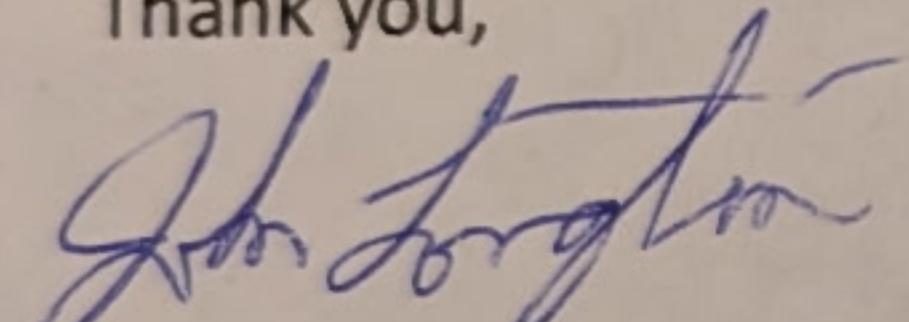
March 17, 2025

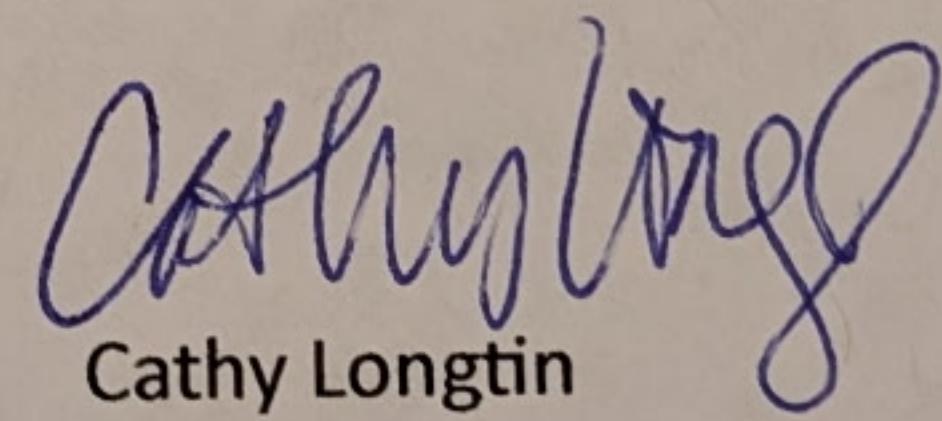
John & Cathy Longtin
2825 Minnesota Ave
Duluth MN 55802

To Whom It May Concern

Our neighbors, Jonathon and Angela Delf (2817 Minnesota Ave, Duluth, MN) reached out to us as they intend to rent out their house and were told a fence was required between the properties unless neighbors agree to waive that requirement. While we do request a privacy fence, we would prefer the fence to start 10 feet from the rear rocky area along the lake shore as that will allow both properties more of a lake view.

Thank you,


John Longtin


Cathy Longtin

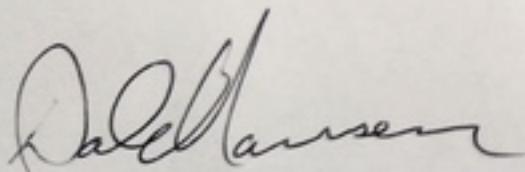
March 6, 2025

Dale & Donna Hansen
2815 Minnesota Ave.
Duluth, MN 55802

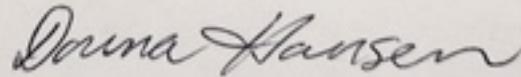
To Whom It May Concern,

Our neighbors, Jonathon & Angela Delf (2817 Minnesota Ave, Duluth, MN) reached out to us as they intend to rent out their house and were told a fence was required between properties unless neighbors agree to waive that requirement. We are fine without a fence between our properties.

Thank you,



Dale Hansen



Donna Hansen



FW: Vacation Dwelling Unit at 2817 Minnesota Avenue, Duluth, MN

From planning <planning@DuluthMN.gov>
Date Tue 3/25/2025 2:17 PM
To Natalie Lavenstein <nlavenstein@DuluthMN.gov>

Public comment for PLIUP-2502-0005

-----Original Message-----

From: Kathleen Berdan <[REDACTED]>
Sent: Tuesday, March 25, 2025 1:33 PM
To: planning <planning@DuluthMN.gov>
Subject: Vacation Dwelling Unit at 2817 Minnesota Avenue, Duluth, MN

Dear Ms Lavenstein,

Regarding our neighbor's request for an Interim Use Permit for a Vacation Dwelling Unit at 2817 Minnesota Avenue, we would ask that the Planning and Development Division deny that request.

We are the owners of the home directly across the street from 2817.

We already have a long-term rental unit next door to us (2814), an Heirloom vacation rental two doors down from us (2832, 1 bedroom, 2 guests), and a monster VRBO rental across the street (2835, 3 bedrooms, 7 guests). Adding another vacation rental at 2817 would mean that we have four rental properties within 100 feet of our home.

Also, we have concerns that guests at 2817 would be trekking through our yard to get to the beach.

Having vacation rentals as neighbors is not without its problems. The VRBO at 2835 has brought issues both with parking (too many cars for the allotted parking spaces) and with light pollution (enough outdoor lighting at night to land an aircraft on Minnesota Avenue), which the owners seem unwilling to rectify.

Also, if you were to look at the listing of Park Point VRBOs (the list may not include Heirloom, Airbnb's or other privately listed properties), you would find that there are at least 40 vacation rental units on Park Point (with a total occupancy of 244 guests). Added to this, there are three hotels and one B&B. Isn't this a bit much for a 4-mile narrow strip of land? If not, where does it end??

Please, before we lose our neighborhoods on Park Point to commercialization, deny the request for an Interim Use Permit at 2817 Minnesota Avenue. Thank you.

Respectfully,

Frank Berdan III
Kathleen W. Berdan, J.D.
2818 Minnesota Avenue



Outlook

FW: Interim Use Permit (PLIUP-2502-0005) for Vacation Dwelling Unit at 2517 Minnesota Ave

From planning <planning@DuluthMN.gov>
Date Thu 3/27/2025 8:09 AM
To Natalie Lavenstein <nlavenstein@DuluthMN.gov>

Public comment for PLIUP-2502-0005

From: John Longtin [REDACTED]
Sent: Wednesday, March 26, 2025 8:53 PM
To: planning <planning@DuluthMN.gov>
Cc: Cathy Longtin [REDACTED] <[REDACTED]>
Subject: Interim Use Permit (PLIUP-2502-0005) for Vacation Dwelling Unit at 2517 Minnesota Ave

To Duluth Planning Commission,

My wife Cathy and I own the home at 2825 Minnesota Ave which is next to the home at 2817 Minnesota Ave which is applying for the Interim Use Permit for a Vacation Dwelling. We have the following concerns with having another Vacation Dwelling in the 2800 block of Minnesota Ave:

- There are two other known Vacation Dwellings in the 2800 block of Minnesota Ave. One at 2835 and another at 2832. Both of these properties are within 100 feet of our property. 2817 is directly adjacent to our property and thereby would be the third within 100 feet of our property. This seems like a high concentration of Vacation Dwellings within close proximity to each other in a residential area which is zoned R-1, Residential Traditional. Are there any city ordinances which govern the concentration of Vacation Dwellings in zone R-1?
- Parking is another concern. There is one parking space in the driveway of 2817 and there is no street parking in front of 2817 due to the narrow width of the lot (36 feet?), the width of the driveway and the proximity of the driveways of the adjacent properties. Additionally, there is only one on-site parking space for 2835 and the owners of 2832 request that their guests park in the street. The result of these constraints is that the guests for the two existing Vacation Dwelling often end up parking in front of our house if they have more than one vehicle and it is likely that guests at 2817 will also be parking in front of our house if they have more than one vehicle. The demand for parking is further increased on Sunday Mornings when attendees of St Andrews Church at 2801 Lake Ave arrive for worship service. Lastly, as you probably know, parking is limited to one side of Minnesota Ave. The side which parking is allowed alternates during the winter and is designated to our side, the odd side, during the summer when the recreational lane is utilized on the even side.

Respectfully,

John and Cathy Longtin
[REDACTED]