



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-2510-0041	Contact	Jason Mozol, jmozol@duluthmn.gov		
Type	Interim Use Permit – Vacation Dwelling Unit Renewal	Planning Commission Date		November 12, 2025	
Deadline for Action	Application Date	October 13, 2025	60 Days	December 12, 2025	
	Date Extension Letter Mailed	October 21, 2025	120 Days	February 10, 2026	
Location of Subject		38 Cato Ave			
Applicant	Darin Reinke	Contact			
Agent		Contact			
Legal Description		PIN: 010-3970-01320			
Site Visit Date		November XX, 2025	Sign Notice Date		October 29, 2025
Neighbor Letter Date		October 31, 2025	Number of Letters Sent		74

Proposal

The applicant proposes to use a 2-bedroom unit within a duplex as a vacation dwelling unit. This is a new vacation dwelling unit for a property on the eligibility list.

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

	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	Vacation Dwelling Unit	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. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission shall 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 #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 existing residential structure on the property was built in 1917. A detached garage was built on the property in 1980. An Interim Use Permit for a vacation dwelling unit was approved for the attached unit at 36 Cato Ave in 2023, PL23-141.

Review and Discussion Items:

Staff finds that:

- 1) Applicants' property is located at 38 Cato Ave. This unit is part of a two-family dwelling proposed to be used as a vacation dwelling unit. This unit contains 2 bedrooms, which will allow for a maximum of 5 guests.
- 2) This application is for a new vacation dwelling unit in a residential district. The property was on the eligibility list.
- 3) The minimum rental period will be two nights.
- 4) This property must provide at least one off-street parking space. One space to park off-street is provided in front of the garage accessed from Sunnyside St.
- 5) Motorhome or trailer parking will be allowed in the parking area in front of the garage.
- 6) The site plan and aerial photos of the property indicate that guests will have access to open yard space in the front, side and rear yards and a deck off the rear of the house.
- 7) The property is screened by an existing fence and garage. The applicant owns all adjacent properties at 36 Cato Ave, 37 England Ave and 39 England Ave and has provided themselves waivers from screening requirements.
- 8) 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. The applicant has listed Darin Reinke to serve as the managing agent.
- 9) 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.V.9 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 10) The applicant must comply with the City's vacation dwelling unit regulations, including providing information to guests on city rules.
- 11) There are currently 189 licensed vacation dwelling units in the city, with 93 of those in form districts; the remaining 96 are subject to the cap of 110. The subject property is located within a residential district and is subject to the cap.
- 12) No City, public or agency comments were received.
- 13) The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

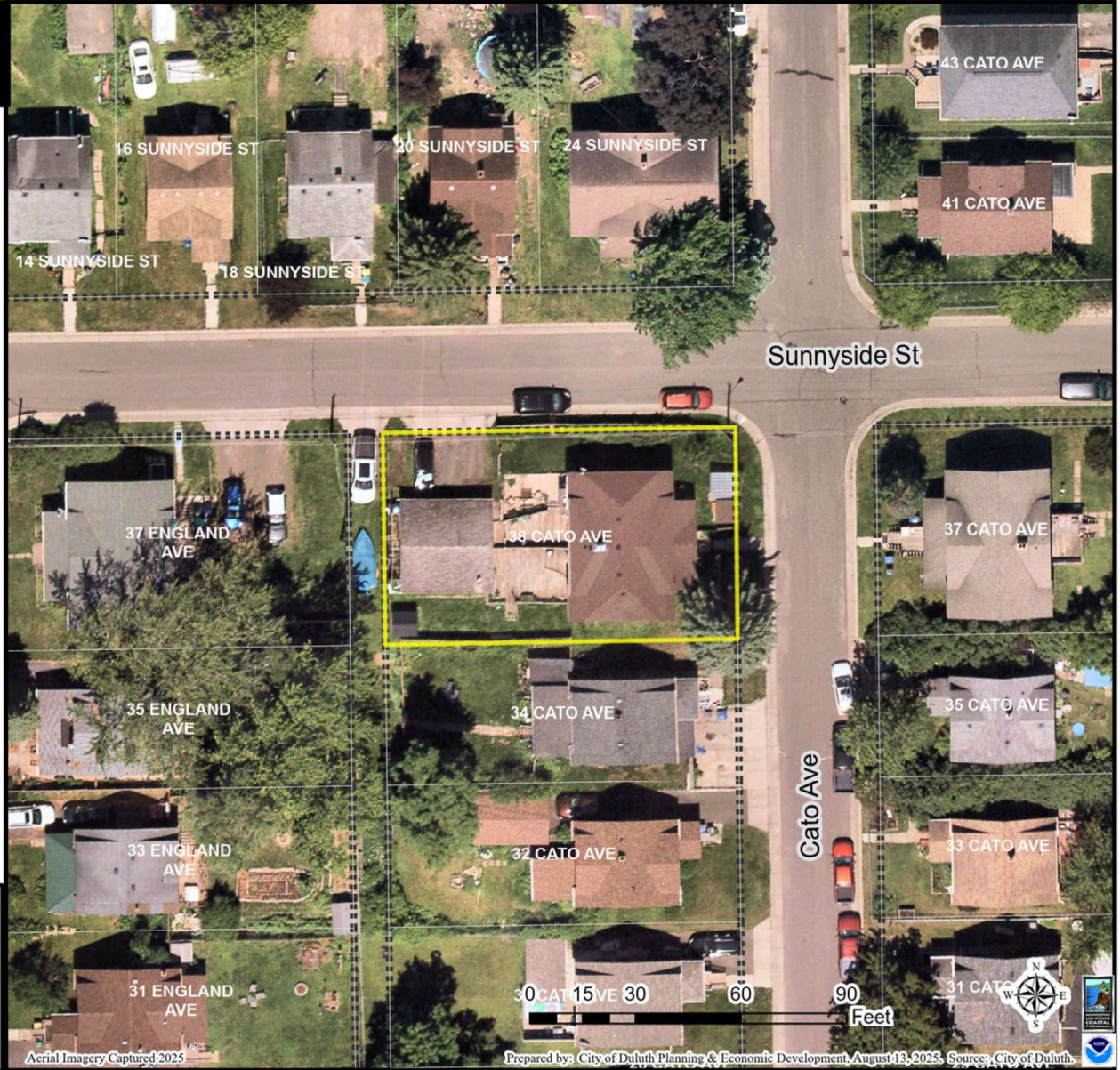
Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 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-2510-0041

Interim Use Permit for a VDU
38 Cato 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.

Prepared by: City of Duluth Planning & Economic Development, August 13, 2025. Source: City of Duluth.

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 night(s).

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?

2

What will be your maximum occupancy?

5 or Bedroom # + 1

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?

1

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?

Yes

If so, where?

Parking in front or next to the garage

5. 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):

I will use an online management program that will record guest records.

6. 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:

They will receive an automated welcome email through my management software that will include all the details

- 7. 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:

Darin Reinke
38 Cato Ave

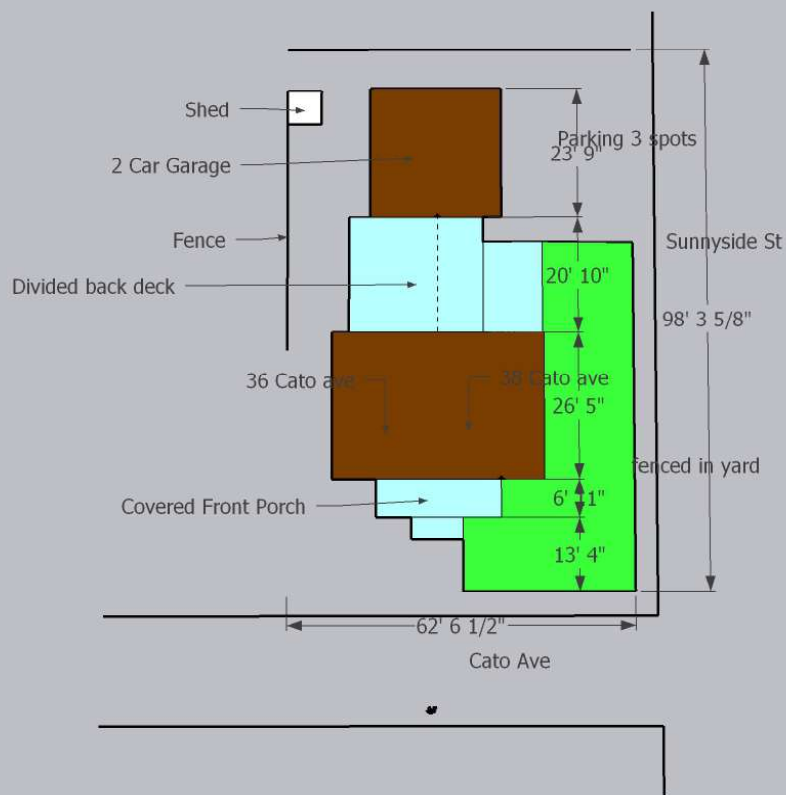
[REDACTED]

[REDACTED]

- 8. Permit holder must post their permit number on all print, poster or web advertisements.

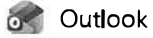
Do you agree to include the permit number on all advertisements?

Yes



10/21/25, 10:52 AM

Mail - Jason Mozol - Outlook



Re: PLIUP-2510-0041 (38 Cato Ave)

From Darin Reinke [REDACTED]
Date Tue 10/21/2025 9:31 AM
To Jason Mozol <jmozol@DuluthMN.gov>

Good morning Jason,

Sorry for the late reply. We were at a cabin over the weekend. Thank you for the info on the new screening requirements. I will be sure to add a fence there for the 36 Cato in the near future.

I as the owner of 38 Cato and 37/39 England Ave waive the screening requirements.

What date do I need the sign in the yard by?

Thank you again,

Darin Reinke