



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

Room 160  
 411 West First Street  
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 23-068	Contact	Chris Lee, cleee@duluthmn.gov	
Type	Interim Use Permit– Vacation Dwelling Unit	Planning Commission Date		May 9, 2023
Deadline for Action	Application Date	April 3, 2023	60 Days	June 2, 2023
	Date Extension Letter Mailed	April 17, 2023	120 Days	August 1, 2023
Location of Subject		4428 Regent St, Unit 3		
Applicant	Joe Golcz	Contact		
Agent	Heirloom Property Management	Contact		
Legal Description		PID # 010-3000-00100		
Site Visit Date		April 25, 2023	Sign Notice Date	April 25, 2023
Neighbor Letter Date		April 14, 2023	Number of Letters Sent	47

**Proposal**

Applicant proposes to use the 1 bedroom unit as a short-term rental. Up to 3 people will be allowed to stay in the unit. A vacation dwelling unit allows for periods of occupancy of 2 to 29 days, with a minimum stay of 2 nights.

Staff is recommending approval to Planning Commission.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	F-1	Mixed Use Building	Neighborhood Commercial
<b>North</b>	MU-N	Public Utility	Neighborhood Commercial
<b>South</b>	F-1	Railroad Tracks	Neighborhood Commercial
<b>East</b>	F-1	Commercial Business	Neighborhood Commercial
<b>West</b>	F-1	Commercial Business	Neighborhood Commercial

**Summary of Code Requirements:**

UDC Section 50-19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the F-1 zone 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 F-4 Zone 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 – Neighborhood Commercial: Small - to moderate -scale commercial, serving primarily the adjacent neighborhood(s). May include specialty retail; community -gathering businesses such as coffee shops or lower intensity entertainment; offices; studios or housing above retail (storefront retail with vertical mixed use). Typically situated in or adjacent to residential neighborhoods

**Current History:** Structure is currently two-story mixed-use building. The lower floor has a commercial tenant and the upper level has two dwelling units.

**Review and Discussion Items:**

- 1) Applicant's property is located at 4428 Regent St, Unit 3. The proposed vacation dwelling unit contains 1 bedroom, which would allow for a maximum of 5 guests.
- 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 to serve as the managing agent.
- 3) The site is not required to provide off-street parking. There will not be any campers or trailers parked on the property.
- 4) The site does not have any outdoor amenities.
- 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 on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").



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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 approve the Interim Use Permit subject to the following:

1. The permit shall lapse if no activity is taken within one year of approval.
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; however, no such administration approval shall constitute a variance from the provisions of Chapter 50





PL 23-068  
Interim Use Permit  
4428 Regent St

**Legend**

- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains**
  - CITY OF DULUTH
  - WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- PS Pump Station
- Storm Sewer Mains**
  - Storm Sewer Pipe
  - Storm Sewer Catch Basin
- Zoning Boundaries**

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.



Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, February 23, 2023 Source: City of Duluth



Unit #3

## 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 nights

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?**

**What will be your maximum occupancy?**

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?** X

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? If so, where?** No

5. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.

6. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper.

7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.

8. 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**

There will be no exterior amenities. This unit is located on the second floor

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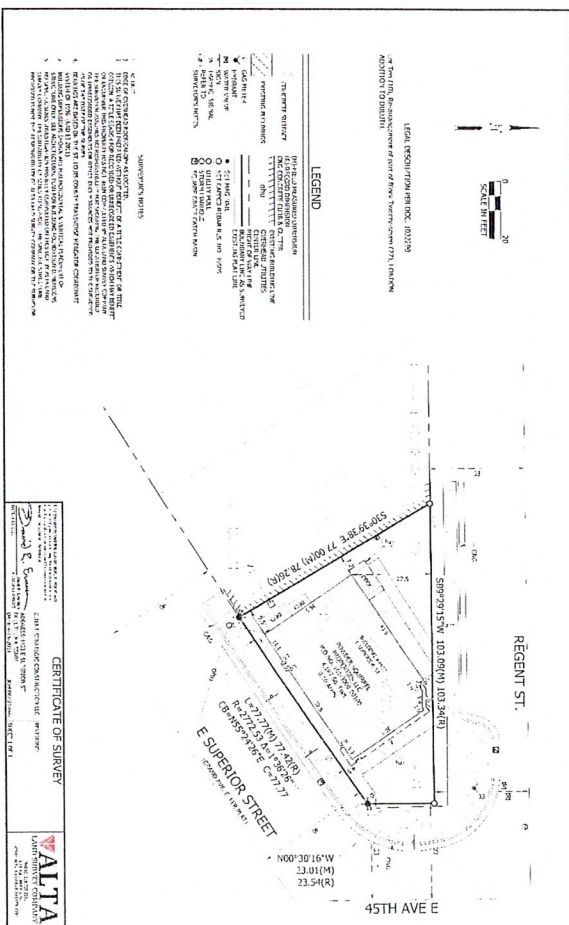
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1. REPLACING ONE OF ALL WINDOWS WITHIN EXISTING OPENING. IT SHALL BE SECURED BY WINDOW SQUEEZE
2. WHERE LATH & PLASTER HAS BEEN DAMAGED OR BROKEN DOWN, EXISTING LATHING & EXTERIOR WALLS SHALL BE REPAIRED WITH PLASTER OR SHALL BE REINFORCED WITH CAD
3. EXISTING BUTTERFLY WAS REPAIRED AFTER WALL WAS REPAIRED. COORDINATE OF EXISTING ATTIC REPAIRS WITH WINDOW



PARCELING FOR 2000-2010  
 PLANNED REPAIR/REPAIR BLOCK 27  
 ADDITIONAL COLUMBIA  
 IF CALLED: 2000-2010 FOR 2000 BLOCK 27  
 2000-2010

HEREBY CERTIFY THIS PLAN, SPECIFICATION  
OR REPORT WAS PREPARED BY ME OR UNDER  
MY DIRECT SUPERVISION AND THAT I AM  
A DULY LICENSED ARCHITECT UNDER THE LAWS  
OF THE STATE OF MINNESOTA

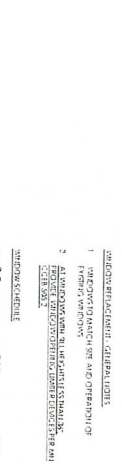
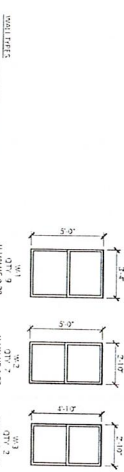
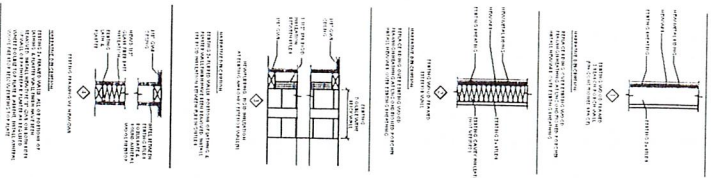
SIGNATURE   
RYAN J. ARCIA

DATE 10/31/2022 LICENSE NO. 22478



**APARTMENT REMODEL**  
4428 REGENT STREET  
DULUTH, MINNESOTA 55804

QUESTIONS



2 FLOOR REPAIR DETAIL

1 SECOND FLOOR PLAN

