



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 23-181	Contact	John Kelley, jkelley@duluthmn.gov	
Type	Interim Use Permit	Planning Commission Date	January 9, 2024	
Deadline for Action	Application Date	October 10, 2023	60 Days	December 9, 2023
	Date Extension Letter Mailed	October 19, 2023	120 Days	February 7, 2024
Location of Subject	608 West 4 th Street, Unit 1			
Applicant	Justin & Alyssa Voegele	Contact		
Agent		Contact		
Legal Description	PID # 010-1270-01150			
Site Visit Date	October 27, 2023	Sign Notice Date	December 12, 2023	
Neighbor Letter Date	October 23, 2023	Number of Letters Sent	36	

Proposal

Applicant proposes to use a two-bedroom unit within an existing multi-family dwelling located at 608 West 4th Street, Unit 1 as a vacation dwelling unit. Up to 5 people will be allowed to stay in the home. This property was on the eligibility list for a vacation dwelling unit.

Recommended Action: Staff recommends that Planning Commission deny the interim use permit based on the lack of availability of required off-street parking in a compliant location.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-2	Residential	Traditional Neighborhood
North	R-2	Vacant land	Traditional Neighborhood
South	R-2	Vacant land	Traditional Neighborhood
East	R-2	Vacant land	Traditional Neighborhood
West	R-2	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 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.



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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 provide 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. Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: This 3,245 sq ft home was built in 1890. The home is a 4-unit multifamily dwelling.

Review and Discussion Items:

Staff finds that:

- 1) Applicant's property is located at 608 West 4th Street. The property is zoned R-2, Urban Residential. Unit 1 is located on the first floor of a four-unit multifamily dwelling. The proposed vacation dwelling unit contains 2 bedrooms, which would allow for a maximum of 5 guests.
- 2) The applicant is proposing one off street parking space in front of the building in an existing non-permitted parking area of the front yard. Section 50-24-3 of the UDC does not permit parking in the front yard area of residential zoning districts. The applicant has stated that the existing front yard parking area was permitted via the issuance of building permits and shown on a site plan from the 1970s and 80s. The building permit applications state that they are for the construction of an addition and deck. The building permit application does not request approval of construction of parking regardless of the site plan. The permit cost stated on the application is the cost of construction of the addition and deck, not the parking. The City Attorney's office has stated that the applications were for building permits not zoning permits to park in the front yard.
- 3) The application does not meet the requirement to provide onsite parking in the required rear yard or one side yard for a vacation dwelling unit. Therefore, staff is recommending that the Planning Commission deny the Interim Use Permit for the vacation dwelling unit.
- 4) Applicant has not exhausted available options for constructing required off-street parking on adjacent properties through acquisition of additional property, or through shared-use parking arrangements.
- 4) There are currently 153 licensed vacation dwelling units in the city, with 71 of those in form districts; the remaining 82 are subject to the cap of 90.
- 5) One comment was received regarding concerns with proposed use (see attached). No other comments were received



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from citizens, City staff, or any other entity were received regarding the application.

Staff Recommendation:

Based on the above findings, Staff recommends denial of the interim use permit for the vacation dwelling unit.



PL 23-181 & PL 23-182
Interim Use Permits
608 West 4th Street

127003420

530 W
4TH ST

W 4th St

127001140

602 W 4TH ST

127001150

**R-2 (Residential
Urban)**

608 W 4TH ST

127001060

127001160

614 W 4TH ST

127001070

127001180

127001190
620 W 4TH ST



Legend
Zoning Boundaries

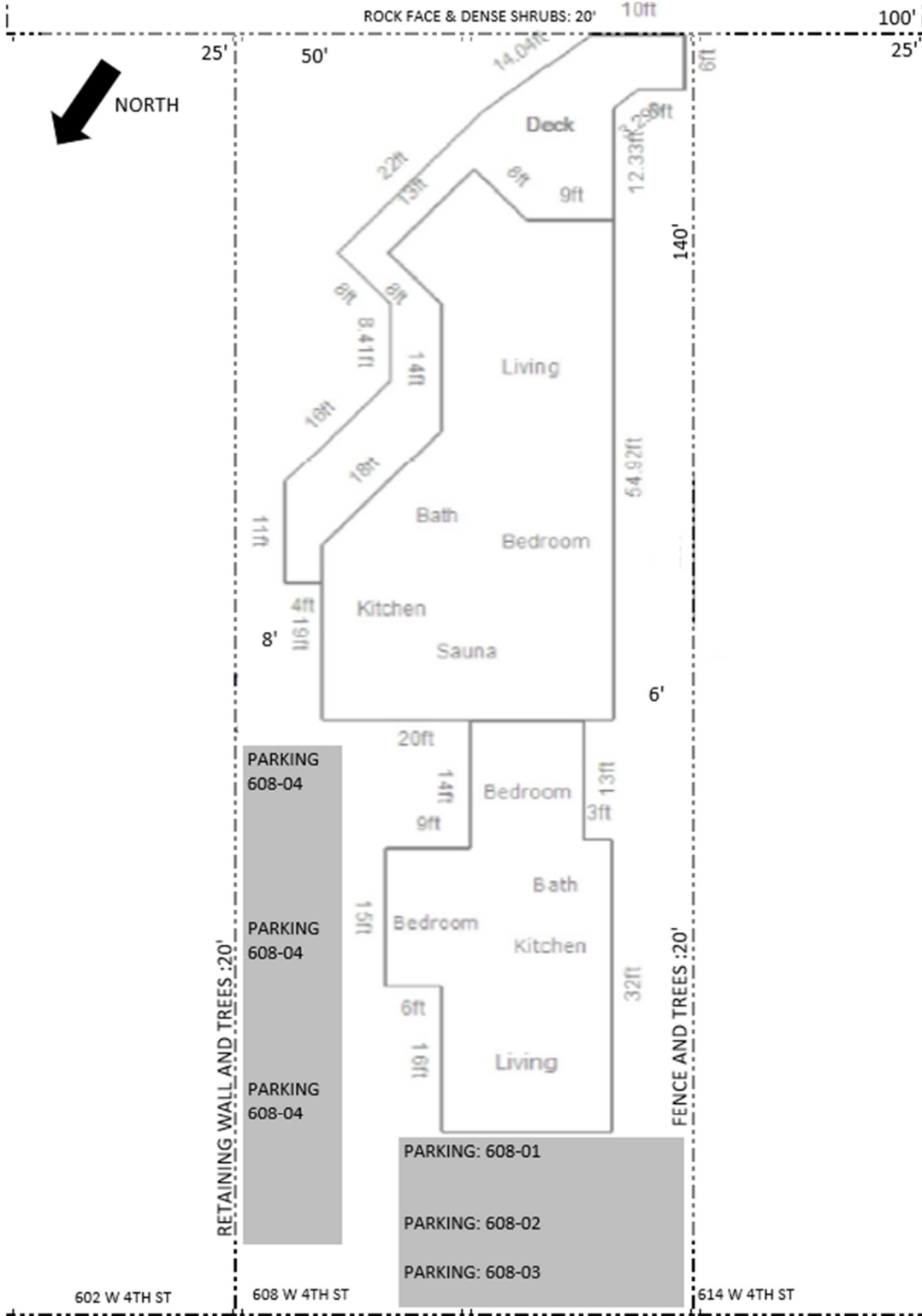
The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used 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 2016

Prepared by: City of Duluth Community Planning Division, May 3, 2019, Source: City of Duluth.

608 W 4TH STREET, DULUTH SITE MAP

608 SITE PLAN: NOTHING ADDITIONAL NEEDED DUE TO PRESENCE OF TREES ON PROPERTY LINES



W 4TH ST

From: Jeff Stremcha

Sent: Tuesday, November 7, 2023 3:42 PM

To: planning <planning@DuluthMN.gov>

Subject: Request for Interim Use Permits for property at 608 W 4th St

Thank you for providing notice of this request and for allowing us an opportunity to provide input. We have previously visited the subject property a couple of times when it was under former ownership. That provides us with some overall understanding of the property; however, our understanding of current specific conditions is limited. Unfortunately, we are not able to attend the public hearing in person but would like to offer this input in advance.

We own the three undeveloped parcels abutting the subject property along its southerly boundary. We also own a part-time personal residence approximately 250' SW of the subject property. What happens at this property matters to us.

We trust that the Planning Commission will conduct a thorough review to ensure that the proposed use will comply with the City's Comprehensive Plan and all applicable city regulations. Should the Planning Commission decide to recommend approval, we believe that specified conditions, in addition to any others that may be deemed appropriate, should also consider the following:

1. Parking: All vehicle parking should be only on the subject property or public streets and in compliance with all relevant city ordinances.
2. Oversight: The property owner, or suitable owner representative, must be a full-time resident of the property.
3. Respect for adjacent properties: Recognizing that the deck/patio area overlooks/abuts our properties, any litter/debris that is not contained on the subject property will land onto ours. The boundary is an area with exposed bedrock and steep grade. Fallen trash/debris is likely to become broken and to disburse down the hillside. Owners of the subject property must be accountable for keeping the area adjacent to their property free of litter. Additionally, the property's management should maintain signage to advise guests on the location of their property boundary and advise against trespassing onto neighboring properties. In conjunction with obtaining and retaining the requested permits, the owners should provide a signed acknowledgement whereby they assume liability for any personal injury or property damage that might arise from guests or associated persons trespassing onto neighboring properties.
4. Safety/Security: We recall that the property contains retaining walls and elevated decks that could pose risk of serious injury in the event of a fall. Since the proposed use could involve small children and/or guests with compromised judgement, both unfamiliar with the property, we recommend that a thorough safety review be conducted to determine whether additional signage, restraints or restrictions might be warranted.

Again, thank you for the opportunity to comment and for considering our input.

Sincerely,

Jeff & Leanne Stremcha