





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

Room 160  
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## **INTERIM USE PERMIT FOR VACATION DWELLING UNIT**

**Permit Number:** PL 21-175

**Issued Date:** December 6, 2021

**Permit Holder:**

BJS Land Co. DLH, LLC  
Neal Jacobi, President of the Company  
3625 London Rd.  
Duluth, MN 55804

**Permit Location:**

11 E. Fourth St., Unit B  
Duluth, MN 55802

**Permit Terms:** The following terms and conditions apply to this permit to use the premises at the Permit Location (the “premises”) as a vacation dwelling unit:

1. The number of structures permitted to be used as a vacation dwelling unit pursuant to this permit is 1.
2. The permitted number of bedrooms is 2.
3. The total number of persons that may occupy the premises is 5.
4. No off-street parking is required for this vacation dwelling unit located in a form district.
5. No more than 1 motorhome, pickup-mounted camper, or trailer for transporting recreational vehicles owned by or under the control of any person occupying the premises may be parked on the premises or on the street within 100 feet of the premises where such street parking is permissible by City Code.
6. No minimum rental period is required for this vacation dwelling unit located in a form district.
7. The permit holder must provide a detailed site plan showing all areas of the premises and all facilities permit occupants will be allowed to use and shall maintain the property according to the site plan approved by the permit.
8. The permit holder must secure and maintain all licenses and permits from the City of Duluth and State of Minnesota required for guest occupancy on the property for 2 to 29 days and shall promptly file current copies thereof with the City.
9. The permit shall expire upon change in ownership of the premises or of control of the ownership of the premises or in six years from the “issue date” listed above, whichever occurs first.
10. If the property for which this permit is granted is sold, conveyed, transferred, or alienated in any way, the permit shall be deemed to be void and of no further force and effect. If the permit holder is a corporation, a partnership, limited liability company, or any legal entity, a change in a controlling interest by the permit holder shall constitute a transfer of the property. Effective immediately, the property shall not be offered for rent as a vacation dwelling unit.
11. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all occupants of the premises and must provide a report to the City regarding guests’ logs upon 48 hours’ notice.

12. Permit holder must designate to the Land Use Supervisor in writing 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.
13. Permit holder shall notify by letter all property owners within 100' of the property boundary of the name, address, and phone number of the managing agent or local contact named above and provide the city with a copy of the letter. The permit holder must notify said property owners within 10 days of a change in the managing agent or local contact's contact information.
14. Permit holder must disclose in writing to all occupants of the premises the following rules and regulations:
  - a. The managing agent or local contact's name, address, and phone number;
  - b. The maximum number of occupants 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, if any, related to use of exterior features of the premises, 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.
15. Permit holder must include the permit number on all print, poster or web advertisements;
16. Prior to rental, the premises must have been inspected by the City Life Safety office and an Operational Permit shall have been issued for the premises, which Permit shall at all times be kept current. Current copies of all permits shall be filed with the Land Use Supervisor.
17. Permit holder must apply for and be granted State and local sales tax numbers, including Hotel and Motel Use Sales Tax. Permit holder must make required sales tax payments to State and local governments according to the terms established by each taxing authority.
18. Permit holder agrees that (a) that the permit granted hereunder is a personal right and not a property right and that approval of the permit will not result in the creation of a compensable property right in the premises or in the owner thereof and that the owner of the premises shall not be entitled to compensation related thereto if the premises or property are later acquired by the City through eminent domain; (b) the termination of the interim use as stated in the permit will create no rights to a nonconforming use and no rights to compensation for termination of the use or for the value of any structures of improvements related to the use.
19. By signing and accepting this Permit, permit holder agrees to accept all of the conditions of this Permit and to be bound thereby.

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Permit Holder

\_\_\_\_\_

Land Use Supervisor

\_\_\_\_\_

Date

\_\_\_\_\_

Date

**Please note:**

Interim Use Permits approved by the City Council shall lapse if the project or activity authorized is not begun within 1 year of the permit date. The building official may extend this period one time for a period of up to 1 year if the property owner presents a written request showing the reasons for the delay was outside the owner's control (UDC Sec. 50-37.1.N).