



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

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<b>File Number</b>	PLIUP-2409-0006		<b>Contact</b>	Chris Lee, <a href="mailto:clee@duluthmn.gov">clee@duluthmn.gov</a>	
<b>Type</b>	Interim Use Permit - Vacation Dwelling Unit		<b>Planning Commission Date</b>		October 8, 2024
<b>Deadline for Action</b>	<b>Application Date</b>		September 3, 2024	<b>60 Days</b>	November 2, 2024
	<b>Date Extension Letter Mailed</b>		September 13, 2024	<b>120 Days</b>	January 2, 2025
<b>Location of Subject</b>		822 E 4th St			
<b>Applicant</b>	Shel House		<b>Contact</b>		
<b>Agent</b>	Eric House		<b>Contact</b>		
<b>Legal Description</b>		PIN: 010-3830-13640			
<b>Site Visit Date</b>		September 21, 2024	<b>Sign Notice Date</b>		September 24, 2024
<b>Neighbor Letter Date</b>		September 20, 2024	<b>Number of Letters Sent</b>		52

**Proposal:** The applicant proposes interim use of fourplex unit of 2 bedrooms in a form district as a vacation dwelling unit.

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

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	F-6	Residential	Neighborhood Mixed Use
<b>North</b>	F-6	Residential	Neighborhood Mixed Use
<b>South</b>	MU-N	Residential	Neighborhood Mixed Use
<b>East</b>	F-6	Residential	Neighborhood Mixed Use
<b>West</b>	F-6	Mixed Use	Neighborhood Mixed Use

**Summary of Code Requirements:**

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in a form district.

UDC Section 50-20.3. U. 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 supports the tourism industry and provides a service for visitors.

Future Land Use – Neighborhood Mixed Use: A transitional use between more intensive commercial uses and purely residential neighborhoods. Includes conversions of houses to office or live -work spaces. May include limited commercial - only space oriented to neighborhood or specialty retail markets

**History:** The subject property, 822 E 4<sup>th</sup> Street, was built in 1892 and contains 4 units.

**Review and Discussion Items:**

Staff finds that:

- 1) Applicants' property is located at 822 East 4<sup>th</sup> Street. The property is a multifamily dwelling and this permit is for Unit 1. The dwelling unit contains 2 bedrooms, which allow for a maximum of 5 guests.
- 2) The minimum rental period will be one night.
- 3) One parking space will be provided in the rear of the property.
- 4) The applicant has indicated they will allow a maximum of motorhome or trailer parking on the property.
- 5) The site plan does not indicate any outdoor amenities.
- 6) 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 themselves to serve as the managing agent.
- 7) 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.
- 8) Applicant must comply with Vacation Dwelling Unit Regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 9) There are currently 158 licensed vacation dwelling units in the city, with 77 of those in form districts; the remaining 83 are subject to the cap of 100.
- 10) No City, public or agency comments were received.
- 11) 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 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-2409-0006  
IUP for Short Term Rental  
822 E 4th St

### Legend



Zoning Boundaries

831 E 4TH ST

E 4th St

333 N 9TH  
AVE E

N 9th Ave E

E 4th Alley

**F-6 (Mid-Rise  
Neighborhood  
Shopping)**

822 E 4TH ST

831 E 3RD ST

820 E 4TH ST

E 4th Alley

829 E 3RD ST

**MU-N (Mixed Use  
Neighborhood)**

810 E 4TH ST

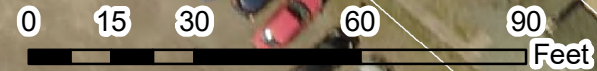
819 E 3RD ST

823 E 3RD ST

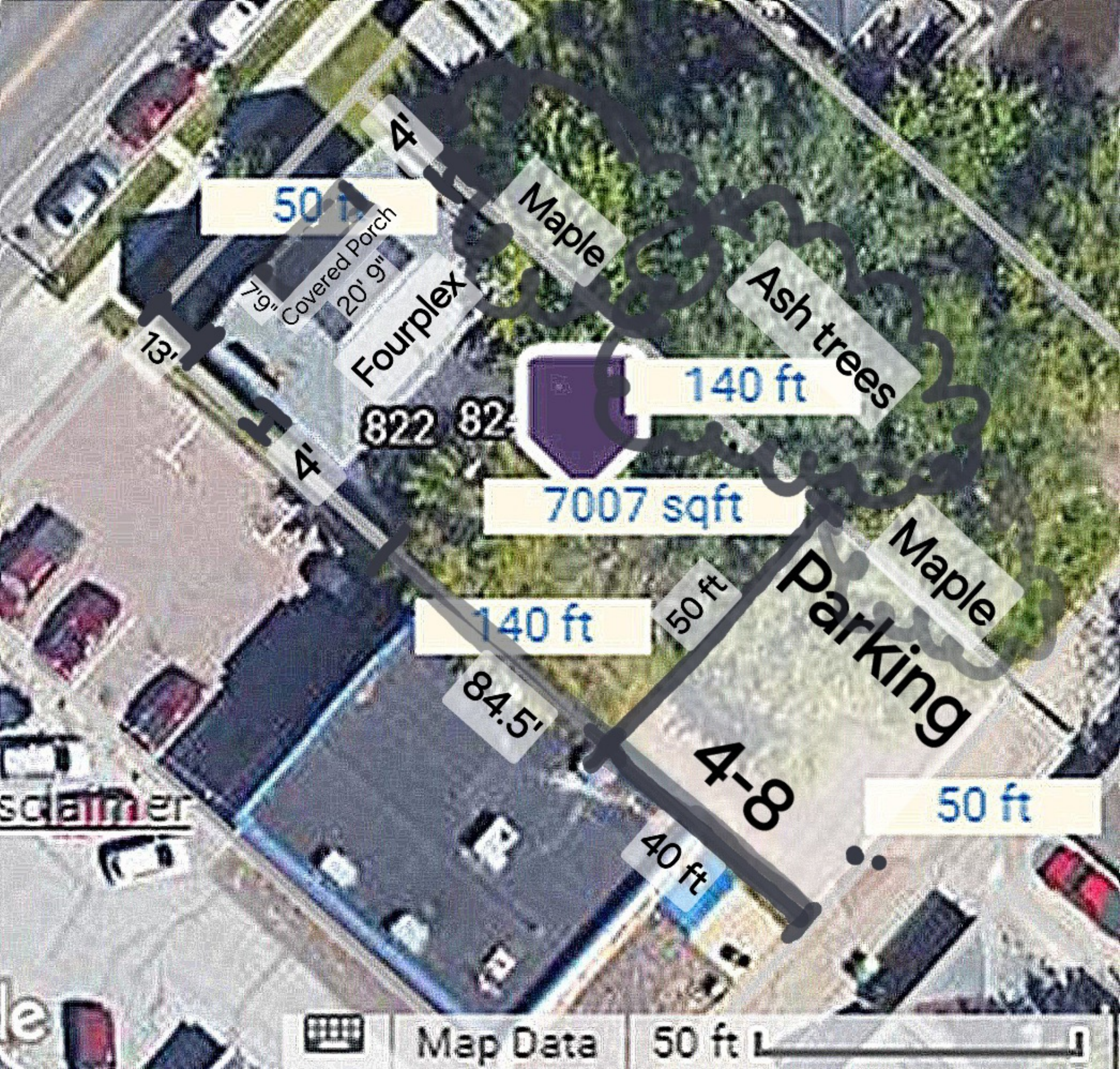
821 E 3RD ST

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Aerial photography flown 2019



Prepared by: City of Duluth Planning & Economic Development, September 11, 2024, Source: City of Duluth



50 ft

7'9" Covered Porch  
20' 9"

4'

Maple

Fourplex

Ash trees

13'

4'

822 82

140 ft



7007 sqft

Maple

Parking

140 ft

50 ft

84.5'

4-8

50 ft

40 ft

SCRAMMER



Map Data

50 ft



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