



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 20-089	Contact	John Kelley, jkelley@duluthmn.gov	
Type	Interim Use Permit Renewal – Vacation Dwelling Unit	Planning Commission Date		July 14, 2020
Deadline for Action	Application Date	June 2, 2020	60 Days	August 1, 2020
	Date Extension Letter Mailed	June 25, 2020	120 Days	September 30, 2020
Location of Subject		1026 North Avenue East		
Applicant	Eve and Wayne Graves	Contact		
Agent		Contact		
Legal Description		PID # 010-2790-01720		
Site Visit Date	July 7, 2020	Sign Notice Date		June 30, 2020
Neighbor Letter Date	July 1, 2020	Number of Letters Sent		50

Proposal

Applicant is proposing a renewal of an existing interim use permit for a vacation rental. The permit is good for a 3 bedroom home with 7 occupants. The previous permit is PL 14-055 with no proposed changes to this renewal.

Staff is recommending Planning Commission recommend approval.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Single Family Dwelling	Traditional Neighborhood
North	R-1	Single Family Dwelling	Traditional Neighborhood
South	R-1	Single Family Dwelling	Traditional Neighborhood
East	R-1	Single Family Dwelling	Traditional Neighborhood
West	R-1	Single Family Dwelling	Traditional Neighborhood

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the F-4 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 #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.

Applicant is proposing to provide another type of lodging product for visitors to the City of Duluth and surrounding area.

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.

Current History: PL 14-055 Interim Use Permit – Vacation Dwelling Unit

Review and Discussion Items:

- 1) Applicant's property is located at 1426 North 10th Avenue East. The proposed vacation dwelling unit contains 3 bedrooms, which would allow for a maximum of 7 guests. This is a renewal of the interim use permit for the owner. The applicants previous permit was for six years and there were no neighbor complaints or other known issues.
- 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 themselves to serve as the managing agent.
- 3) Three parking spaces will be provided on the rear of the property, which has demonstrated legal access via E 11th Street.
- 4) Owner lives 10 miles from the site and will act as the managing agent. She will contact all property owners within 100' of property boundary upon approval of this Permit.
- 5) The site does not have any outdoor amenities to be screened.
- 6) 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.



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7) 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.

8) 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").

9) 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 recommend approval subject to the following:

- 1) The Interim Use Permit shall not be effective until the applicant has received all required licenses and permits for operation.
- 2) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.



PL 20-089
Zoning Map

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
- Trout Stream (GPS)
- Other Stream (GPS)

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.



